



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 15, 2011

House Amendment 1299

PAG LIN

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1 1      Amend House File 617 as follows:
1 2 #1.  Page 4, after line 19 by inserting:
1 3      <Sec. _____.  Section 123.56, Code 2011, is amended by
1 4 adding the following new subsection:
1 5      NEW SUBSECTION.  6A.  Notwithstanding any other
1 6 provision of this chapter, a class "A" native wine
1 7 permittee may obtain a class "C" liquor license if
1 8 the class "A" native wine permittee has a restaurant
1 9 located on the same premises as the native winery.>
1 10 #2.  By renumbering as necessary.
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IVERSON of Wright
HF617.1504 (2) 84
rn/nh



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House Amendment 1300

PAG LIN

1 1 Amend the amendment, H=1298, to House File 470 as
1 2 follows:
1 3 #1. Page 1, by striking lines 2 and 3 and inserting:
1 4 #<1. Page 2, by striking lines 26 and 27 and
1 5 inserting <Monday through Saturday.>>

ALONS of Sioux
H1298.1511 (1) 84
rn/nh



Iowa General Assembly
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House Amendment 1301

PAG LIN

1 1 Amend House File 185, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by striking lines 7 through 9 and
1 4 inserting <budget year beginning July 1, 2011, is two
1 5 percent. The state percent of growth for each>

1 6 #2. Page 1, by striking lines 20 and 21 and
1 7 inserting <year beginning July 1, 2011.>
HF185.1508.S (1) 84



Iowa General Assembly
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House Amendment 1302

PAG LIN

1 1 Amend House File 184, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by striking lines 6 through 8 and
1 4 inserting <growth for the budget year beginning July 1,
1 5 2011, is two percent. The>

1 6 #2. Page 1, by striking lines 23 and 24 and
1 7 inserting <year beginning July 1, 2011.>
HF184.1471.S (2) 84



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House Amendment 1303

PAG LIN

1 1 Amend the amendment, H=1291, to House File 470 as
1 2 follows:
1 3 #1. Page 1, line 35, by striking <may> and inserting
1 4 <shall>

MASCHER of Johnson
H1291.1510 (1) 84
rn/nh



Iowa General Assembly
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House Amendment 1304

PAG LIN

1 1 Amend House File 589 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 717.1, subsection 2, Code 2011,
1 4 is amended to read as follows:
1 5 2. "Livestock" means an animal belonging to the
1 6 bovine, caprine, ~~equine~~, ovine, or porcine species,
1 7 ostriches, rheas, emus; farm deer as defined in section
1 8 170.1; or poultry.>
1 9 #2. By renumbering as necessary.

PETERSEN of Polk
HF589.1484 (1) 84
da/rj



Iowa General Assembly
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House Amendment 1305

PAG LIN

1 1 Amend House File 560 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <Section 1. PREPAID METERING STUDY. The utilities
1 5 board of the utilities division of the department of
1 6 commerce shall conduct a study regarding the merits of
1 7 making the installation of a prepaid metering system
1 8 available to utility customers. The prepaid metering
1 9 system subject to the study would involve equipment
1 10 configured to terminate electric service immediately
1 11 and automatically when a utility customer has incurred
1 12 charges for electric service equal to the customer's
1 13 prepayments for such service. The board shall identify
1 14 and involve interested stakeholders in conducting
1 15 the study, which shall include but not be limited to
1 16 electric utility representatives, one or more consumer
1 17 advocacy agencies or organizations, and utility
1 18 customers. Aspects of the study shall include but not
1 19 be limited to whether automatic termination of service
1 20 should be considered a voluntary termination not
1 21 subject to disconnection requirements and restrictions,
1 22 customer education regarding the installation and use
1 23 of a prepaid metering system, and the potential for
1 24 inadvertent or unintentional termination based upon
1 25 an oversight on the part of a customer or a utility.
1 26 The board shall submit a report regarding the results
1 27 of the study to the general assembly by December 15,
1 28 2011.>
1 29 #2. Title page, line 1, by striking <providing for>
1 30 and inserting <directing the Iowa utilities board to
1 31 conduct a study regarding>

PAUSTIAN of Scott
HF560.1533 (1) 84
rn/sc



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House Amendment 1306

PAG LIN

1 1 Amend House File 585 as follows:
1 2 #1. By striking page 3, line 29, through page 4,
1 3 line 3, and inserting:
1 4 <7. ~~An application submitted to the state board~~
~~1 5 pursuant to subsection 2, paragraph "b", or subsection~~
~~1 6 6 shall set forth the manner in which the charter~~
~~1 7 school or innovation zone school will provide special~~
~~1 8 instruction, in accordance with section 280.4, to~~
~~1 9 students who are limited English proficient. The~~
~~1 10 application shall set forth the manner in which the~~
~~1 11 charter school or innovation zone school will comply~~
~~1 12 with federal and state laws and regulations relating to~~
~~1 13 the federal National School Lunch Act and the federal~~
~~1 14 Child Nutrition Act of 1966, 42 U.S.C. { 1751-1785, and~~
~~1 15 chapter 283A. The state board shall>~~
1 16 #2. Page 4, line 4, after <those> by inserting
1 17 <innovation zone school>
1 18 #3. Page 4, by striking lines 11 through 19.
1 19 #4. Page 4, line 31, by striking <district,> and
1 20 inserting <district.>
1 21 #5. Page 4, by striking lines 32 through 34.
1 22 #6. Page 5, line 1, after <school.> by inserting
1 23 <A charter school may establish academic preparation
1 24 prerequisites designed to protect and promote the
1 25 quality and integrity of the charter school educational
1 26 program if the academic preparation prerequisites do
1 27 not impose an unlawful barrier to the admission of any
1 28 student.>
1 29 #7. Page 5, after line 15 by inserting:
1 30 <Sec. _____. Section 256F.5, Code 2011, is amended by
1 31 adding the following new subsection:
1 32 NEW SUBSECTION. 12A. The manner in which special
1 33 instruction, in accordance with section 280.4, will
1 34 be provided to students who are limited English
1 35 proficient, and the manner in which the charter school
1 36 or innovation zone school will comply with federal and
1 37 state laws and regulations relating to the federal
1 38 National School Lunch Act and the federal Child
1 39 Nutrition Act of 1966, 42 U.S.C. { 1751=1785, and
1 40 chapter 283A.>
1 41 #8. Page 6, line 7, after <board> by inserting <,
1 42 advisory council,>
1 43 #9. Page 6, by striking lines 9 and 10.
1 44 #10. By renumbering as necessary.

DOLECHECK of Ringgold
HF585.1520 (2) 84
kh/rj



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House Amendment 1307

PAG LIN

1 1 Amend House File 599 as follows:
1 2 #1. Page 1, line 29, by striking <or> and inserting
1 3 <, an accredited private institution as defined in
1 4 section 261.9, or an>
1 5 #2. Page 1, line 31, after <college> by inserting <,
1 6 accredited private institution as defined in section
1 7 261.9,>
1 8 #3. Page 2, line 5, by striking <college and each>
1 9 and inserting <college, accredited private institution
1 10 as defined in section 261.9, and>
1 11 #4. Page 2, line 22, after <college> by inserting <,
1 12 accredited private institution as defined in section
1 13 261.9,>
1 14 #5. Title page, line 3, after <colleges> by
1 15 inserting <, accredited private institutions,>

JORGENSEN of Woodbury
HF599.1537 (2) 84
kh/nh



Iowa General Assembly
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House Amendment 1308

PAG LIN

- 1 1 Amend House File 584 as follows:
- 1 2 #1. Page 1, line 28, by striking <year;> and
- 1 3 inserting <two years;>
- 1 4 #2. By renumbering as necessary.

HANSON of Jefferson
HF584.1335 (1) 84
dea/nh



Iowa General Assembly
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House Amendment 1309

PAG LIN

1 1 Amend House File 584 as follows:
1 2 #1. Page 1, after line 19 by inserting:
1 3 0b. <"Clear driving record" means the individual
1 4 has not been identified as a candidate for suspension
1 5 or revocation of a driver's license under the habitual
1 6 violator or habitual offender provisions of the
1 7 department's regulations; is not subject to driver's
1 8 license suspension, revocation, denial, cancellation,
1 9 disqualification, or bar; and has no record of a
1 10 conviction for a moving traffic violation determined to
1 11 be the cause of a motor vehicle accident.>
1 12 #2. By striking page 1, line 32, through page 2,
1 13 line 4, and inserting <years.>
1 14 #3. Page 2, by striking lines 9 through 11 and
1 15 inserting:
1 16 <(2) Twenty hours of street or highway driving,
1 17 including four hours of driving after sunset and
1 18 before sunrise, while accompanied by the teaching
1 19 parent, and an additional twenty hours of street or
1 20 highway driving while accompanied by another person
1 21 at least twenty=five years of age who has a valid
1 22 driver's license, other than a motorized bicycle
1 23 license or a temporary restricted license, that permits
1 24 unaccompanied driving, who has maintained a clear
1 25 driving record for the previous two years, and who has
1 26 written permission from the teaching parent.>
1 27 #4. Page 3, by striking line 14 and inserting
1 28 <student's name and initials and the name and initials
1 29 of the teaching parent or other person who accompanied
1 30 the student in accordance with subsection 3, paragraph
1 31 "a", subparagraph (2), noted>
1 32 #5. By renumbering as necessary.

HANSON of Jefferson
HF584.1331 (3) 84
dea/nh



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House Amendment 1310

PAG LIN

1 1 Amend House File 607 as follows:
1 2 #1. Page 1, line 16, by striking <a class "A"
1 3 felony, and who was a child> and inserting <kidnapping
1 4 in the first degree in violation of section 710.2
1 5 or sexual abuse in the first degree in violation of
1 6 section 709.2, and who was>
1 7 #2. Page 1, after line 29 by inserting:
1 8 <d. A person convicted of murder in the second
1 9 degree in violation of section 707.3 and who was also
1 10 convicted of either kidnapping in the first degree
1 11 in violation of section 710.2 or sexual abuse in the
1 12 first degree in violation of section 709.2, which
1 13 conviction arose out of the same set of facts as the
1 14 murder=in=the=second=degree conviction, shall not be
1 15 eligible for parole pursuant to this subsection.>

GARRETT of Warren
HF607.1435 (2) 84
jm/rj



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House Amendment 1311

PAG LIN

1 1 Amend House File 608 as follows:
1 2 #1. Page 1, by striking lines 20 through 22 and
1 3 inserting:
1 4 <department shall act appropriately to initiate
1 5 the action. The county attorney shall assist the
1 6 department ~~as provided under section 232.90, subsection~~
~~1 7 2.>~~
1 8 #2. Page 3, line 6, by striking <or> and inserting
1 9 <to>

GARRETT of Warren
HF608.1487 (1) 84
jm/sc



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House Amendment 1312

PAG LIN

1 1 Amend House File 607 as follows:
1 2 #1. Page 1, by striking lines 19 through 22 and
1 3 inserting <of twenty=five years.>

WOLFE of Clinton
HF607.1506 (1) 84
jm/rj



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House Amendment 1313

PAG LIN

1 1 Amend House File 526 as follows:
1 2 #1. By striking page 1, line 10, through page 2,
1 3 line 4, and inserting:
1 4 <"Possess" or "possession" means having knowledge of
1 5 the presence and the nature of an object or substance
1 6 and exercising dominion and control over the object
1 7 or substance. "Possess" or "possession" may be either
1 8 actual or constructive.
1 9 1. A person has "actual possession" when an object
1 10 or substance is found on the person.
1 11 2. A person has "constructive possession" when the
1 12 person has knowledge of the presence of an object or
1 13 substance and has the authority or right to maintain
1 14 control over the object or substance.>

WOLFE of Clinton

SWAIM of Davis

R. OLSON of Polk
HF526.1531 (1) 84
jm/rj



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House Amendment 1314

PAG LIN

- 1 1 Amend House File 584 as follows:
- 1 2 #1. Page 2, line 32, after <by> by inserting
- 1 3 <notarized>
- 1 4 #2. By renumbering as necessary.

ABDUL=SAMAD of Polk
HF584.1550 (1) 84
dea/nh



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House Amendment 1315

PAG LIN

1 1 Amend House File 588 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 256.9, Code 2011, is amended by
1 4 adding the following new subsection:
1 5 NEW SUBSECTION. 62. Provide that a background
1 6 investigation be conducted by the division of criminal
1 7 investigation of the department of public safety on
1 8 a person responsible for or providing independent
1 9 private instruction in accordance with section 299A.1,
1 10 subsection 2. The director shall require such persons
1 11 to submit a completed fingerprint packet and shall
1 12 use the packet to facilitate a national criminal
1 13 history background check. If the results of the
1 14 background investigation determine that the subject
1 15 of the investigation has been convicted of a felony
1 16 offense, instruction provided by or instruction for
1 17 which the person is responsible shall not be considered
1 18 independent private instruction for purposes of chapter
1 19 299 or chapter 299A.>
1 20 #2. Page 2, line 32, by striking <2> and inserting
1 21 <3>
1 22 #3. Page 4, by striking line 4 and inserting:
1 23 <2. The authority responsible for providing
1 24 independent private instruction and any primary
1 25 instruction providing independent private instruction
1 26 in accordance with this chapter shall submit a
1 27 completed fingerprint packet to the department of
1 28 education in accordance with section 256.9, subsection
1 29 62.
1 30 3. For purposes of this chapter, ~~"competent and~~
1 31 chapter 299:>
1 32 #4. Page 5, line 23, by striking <2> and inserting
1 33 <3>
1 34 #5. By renumbering as necessary.

WILLEMS of Linn
HF588.1551 (2) 84
kh/sc



Iowa General Assembly
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House Amendment 1316

PAG LIN

1 1 Amend House File 588 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 256.9, Code 2011, is amended by
1 4 adding the following new subsection:
1 5 NEW SUBSECTION. 62. Provide that a background
1 6 investigation be conducted by the division of criminal
1 7 investigation of the department of public safety on
1 8 a person responsible for or providing independent
1 9 private instruction in accordance with section 299A.1,
1 10 subsection 2. The director shall require such persons
1 11 to submit a completed fingerprint packet and shall use
1 12 the packet to facilitate a national criminal history
1 13 background check.>
1 14 #2. Page 2, line 32, by striking <2> and inserting
1 15 <3>
1 16 #3. Page 4, by striking line 4 and inserting:
1 17 <2. The authority responsible for providing
1 18 independent private instruction and any primary
1 19 instruction providing independent private instruction
1 20 in accordance with this chapter shall submit a
1 21 completed fingerprint packet to the department of
1 22 education in accordance with section 256.9, subsection
1 23 62.
1 24 3. For purposes of this chapter, ~~"competent and~~
1 25 chapter 299:>
1 26 #4. Page 5, line 23, by striking <2> and inserting
1 27 <3>
1 28 #5. By renumbering as necessary.

MASCHER of Johnson
HF588.1548 (2) 84
kh/sc



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House Amendment 1317

PAG LIN

1 1 Amend House File 584 as follows:
1 2 #1. Page 3, line 18, by striking <Any student> and
1 3 inserting <A student who possesses an instruction
1 4 permit issued under section 321.180B, subsection 1, or
1 5 a comparable instruction permit issued by another state
1 6 for a minimum of twelve months immediately preceding
1 7 application for an intermediate license and>
1 8 #2. By renumbering as necessary.

MASCHER of Johnson
HF584.1549 (3) 84
dea/nh



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House Amendment 1318

PAG LIN

1 1 Amend the amendment, H=1278, to House File 589 as
1 2 follows:
1 3 #1. Page 1, after line 1 by inserting:
1 4 <___. Page 4, after line 25 by inserting:
1 5 <() The record must be produced by a person who
1 6 is not part of the press which publishes news in a
1 7 print or electronic medium. >>
1 8 #2. Page 1, after line 5 by inserting:
1 9 <___. Page 8, after line 29 by inserting:
1 10 <() The record must be produced by a person who
1 11 is not part of the press which publishes news in a
1 12 print or electronic medium. >>
1 13 #3. By renumbering as necessary.

T. TAYLOR of Linn
H1278.1557 (1) 84
da/rj



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House Amendment 1319

PAG LIN

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1 1 Amend the amendment, H=1278, to House File 589 as
1 2 follows:
1 3 #1. Page 1, after line 1 by inserting:
1 4 <____. Page 4, after line 25 by inserting:
1 5 <( ) The record must be produced with an intent to
1 6 disrupt operations conducted at the animal facility. >>
1 7 #2. Page 1, after line 5 by inserting:
1 8 <____. Page 8, after line 29 by inserting:
1 9 <( ) The record must be produced with an intent to
1 10 disrupt operations conducted at the crop operation. >>
1 11 #3. By renumbering as necessary.
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T. TAYLOR of Linn
H1278.1539 (1) 84
da/rj



Iowa General Assembly
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House Amendment 1320

PAG LIN

1 1 Amend the amendment, H=1292, to House File 589 as
1 2 follows:
1 3 #1. Page 4, after line 14 by inserting:
1 4 <() The record must be produced by a person who
1 5 is not part of the press which publishes news in a
1 6 print or electronic medium.>
1 7 #2. Page 7, after line 44 by inserting:
1 8 <() The record must be produced by a person who
1 9 is not part of the press which publishes news in a
1 10 print or electronic medium.>
1 11 #3. By renumbering as necessary.

T. TAYLOR of Linn
H1292.1556 (2) 84
da/rj



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House Amendment 1321

PAG LIN

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1 1      Amend  the amendment, H=1292, to House File 589 as
1 2 follows:
1 3 #1.  Page 4, after line 14 by inserting:
1 4      <( )  The record must be produced with an intent to
1 5 disrupt operations conducted at the animal facility.>
1 6 #2.  Page 7, after line 44 by inserting:
1 7      <( )  The record must be produced with an intent to
1 8 disrupt operations conducted at the crop operation.>
1 9 #3.  By renumbering as necessary.
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T. TAYLOR of Linn
H1292.1536 (1) 84
da/rj



Iowa General Assembly
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House Amendment 1322

PAG LIN

1 1 Amend House File 588 as follows:
1 2 #1. Page 4, line 23, by striking <and social> and
1 3 inserting <social>
1 4 #2. Page 4, line 24, after <studies> by inserting
1 5 <, and twenty=first century learning skills which
1 6 include but are not limited to civic literacy, health
1 7 literacy, technology literacy, financial literacy, and
1 8 employability skills>
1 9 #3. By renumbering as necessary.

WINCKLER of Scott
HF588.1563 (1) 84
kh/sc



Iowa General Assembly
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House Amendment 1323

PAG LIN

1 1 Amend House File 563 as follows:
1 2 #1. Page 2, by striking lines 32 and 33 and
1 3 inserting <basis, unless the attorney general
1 4 determines that the procurement process is not feasible
1 5 under the circumstances and sets>
1 6 #2. Page 2, by striking line 35 and inserting:
1 7 <3. a. Except as provided in paragraph "c", the
1 8 state shall not enter into a contingency fee>
1 9 #3. Page 3, by striking lines 23 and 24 and
1 10 inserting <executive council of the aggregate
1 11 contingency fee limits in paragraphs "a" and "b" if the
1 12 attorney general provides a thirty=day>
1 13 #4. Page 4, line 11, by striking <attend> and
1 14 inserting <participate in>
1 15 #5. By renumbering as necessary.

HAGENOW of Polk
HF563.1571 (1) 84
rh/nh



Iowa General Assembly
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House Amendment 1324

PAG LIN

1 1 Amend House File 574 as follows:
1 2 #1. Page 1, after line 35 by inserting:
1 3 <Sec. _____. Section 29A.43, subsection 3, Code 2011,
1 4 is amended to read as follows:
1 5 3. A person violating a provision of this section
1 6 is guilty of a simple misdemeanor. Violations of
1 7 this section shall be prosecuted by the attorney
1 8 general or the county attorney of the county in which
1 9 the violation occurs. A person claiming a violation
1 10 of this section shall provide written notice within
1 11 sixty days of any such violation to the office of the
1 12 attorney general or the office of the county attorney
1 13 of the county in which the violation occurs.>
1 14 #2. By renumbering as necessary.

HANUSA of Pottawattamie
HF574.1561 (1) 84
aw/nh



Iowa General Assembly
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House Amendment 1325

PAG LIN

1 1 Amend the amendment, H=1232, to House File 537 as
1 2 follows:
1 3 #1. Page 1, by striking lines 5 through 25 and
1 4 inserting:
1 5 <b. (1) A statement regarding the impact of the
1 6 fee structure on third=party payments, and whether
1 7 third=party payments and resources are accepted by the
1 8 assisted living program.
1 9 (2) The occupancy agreement shall specifically
1 10 include a statement regarding each of the following:
1 11 (a) Whether the program requires disclosure of a
1 12 tenant's personal financial information for occupancy
1 13 or continued occupancy.
1 14 (b) The program's policy regarding the continued
1 15 tenancy of a tenant following exhaustion of private
1 16 resources.
1 17 (c) Contact information for the department of human
1 18 services and the senior health insurance information
1 19 program to assist tenants in accessing third=party
1 20 payment sources.
1 21 (3) An assisted living program shall amend any
1 22 occupancy agreement entered into by a tenant prior
1 23 to July 1, 2011, or shall execute a memorandum
1 24 of understanding with such tenant as an addendum
1 25 to such agreement, to reflect the requirements of
1 26 this paragraph "b" and shall obtain the signature
1 27 of the tenant or the tenant's legal representative
1 28 acknowledging the amendment or memorandum of
1 29 understanding addendum to the occupancy agreement no
1 30 later than August 31, 2011.>

ISENHART of Dubuque
H1232.1596 (1) 84
pf/nh



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House Amendment 1326

PAG LIN

1 1 Amend the amendment, H=1292, to House File 589 as
1 2 follows:
1 3 #1. Page 2, by striking lines 16 through 22.
1 4 #2. Page 4, by striking lines 6 through 18.
1 5 #3. Page 4, line 26, by striking <remain at> and
1 6 inserting <remain on or in>
1 7 #4. Page 7, by striking lines 37 through 47.
1 8 #5. By renumbering as necessary.

ISENHART of Dubuque
H1292.1530 (2) 84
da/rj



Iowa General Assembly
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House Amendment 1327

PAG LIN

- 1 1 Amend House File 588 as follows:
- 1 2 #1. Page 4, line 23, after <science,> by inserting
- 1 3 <cultural and ethnic studies,>

ABDUL=SAMAD of Polk
HF588.1568 (2) 84
kh/sc



Iowa General Assembly
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House Amendment 1328

PAG LIN

- 1 1 Amend House File 588 as follows:
- 1 2 #1. Page 4, by striking line 17.
- 1 3 #2. By renumbering as necessary.

WILLEMS of Linn
HF588.1566 (1) 84
kh/sc



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House Amendment 1329

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, by striking lines 17 and 18 and
1 3 inserting <the evangelical lutheran education
1 4 association of the evangelical lutheran church in
1 5 America .>

WILLEMS of Linn
HF583.1590 (2) 84
kh/rj



Iowa General Assembly
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House Amendment 1330

PAG LIN

1 1 Amend House File 588 as follows:

1 2 #1. Page 2, line 32, by striking <2> and inserting

1 3 <3>

1 4 #2. Page 4, by striking line 4 and inserting:

1 5 <2. The parent or guardian of a student receiving
1 6 independent private instruction shall sign a statement

1 7 acknowledging that independent private instruction is
1 8 not accredited by any recognized state or national

1 9 accrediting agency, and the authority responsible for
1 10 the independent private instruction shall include the

1 11 signed statement in the student's cumulative records.

1 12 3. For purposes of this chapter, ~~"competent and~~
1 13 chapter 299:>

1 14 #3. Page 5, line 23, by striking <2> and inserting

1 15 <3>

1 16 #4. By renumbering as necessary.

MASCHER of Johnson
HF588.1575 (2) 84
kh/sc



Iowa General Assembly
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House Amendment 1331

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, by striking lines 5 and 6 and inserting
1 3 <approved independent accrediting agency instead of
1 4 by the department, as provided in this section. The
1 5 department shall>
1 6 #2. Page 1, line 25, by striking <state board> and
1 7 inserting <department>
1 8 #3. Page 1, line 26, by striking <the department's>
1 9 and inserting <its>
1 10 #4. Page 1, line 31, by striking <state board's> and
1 11 inserting <department's>
1 12 #5. Page 2, line 2, by striking <state board> and
1 13 inserting <department>

MASCHER of Johnson
HF583.1597 (1) 84
kh/rj



Iowa General Assembly
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House Amendment 1332

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 8, after line 33 by inserting:
1 3 <3A. Prior to filing an application pursuant to
1 4 section 476A.3 to build a nuclear generating facility
1 5 including but not limited to small modular reactor
1 6 technology, or seeking authority pursuant to a combined
1 7 construction and operating license or an early site
1 8 permit from the United States nuclear regulatory
1 9 commission, a utility shall conduct an assessment for
1 10 the twenty=year period subsequent to its anticipated
1 11 filing date relating to the following:
1 12 a. Projected energy demand.
1 13 b. Energy efficiency and conservation trends,
1 14 practices, and requirements.
1 15 c. Industrial cogeneration of electricity.
1 16 d. Renewable energy trends, practices, and
1 17 requirements.
1 18 e. Transmission improvements.
1 19 f. Options for meeting the projected demand through
1 20 means other than energy efficiency.
1 21 g. Projected environmental impacts including
1 22 greenhouse gas emissions.
1 23 h. Projected grid reliability.
1 24 i. Projected energy costs.
1 25 j. Projected energy supply payments to citizens of
1 26 this state.
1 27 k. Projected energy=related employment outlook and
1 28 impact.>

LENSING of Johnson
HF561.1589 (2) 84
rn/nh



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House Amendment 1333

PAG LIN

1 1 Amend Senate File 468, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 9, by striking <grounds> and
1 4 inserting <property>
1 5 #2. Page 1, line 13, by striking <grounds> and
1 6 inserting <property>
1 7 #3. Title page, line 2, by striking <grounds> and
1 8 inserting <property>

ABDUL=SAMAD of Polk
SF468.1572 (1) 84
kh/rj



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House Amendment 1334

PAG LIN

1 1 Amend House File 585 as follows:
1 2 #1. Page 1, by striking lines 7 through 31.
1 3 #2. Page 2, line 35, by striking <through> and
1 4 inserting <, 6, 7, and>
1 5 #3. Page 3, by striking lines 14 through 21.
1 6 #4. Page 4, by striking line 5 and inserting
1 7 <specified in section 256F.1, subsection 3, and
1 8 sections 256F.4>
1 9 #5. Page 5, lines 8 and 9, by striking <subsections
1 10 2 and 12, Code 2011, are> and inserting <subsection 2,
1 11 Code 2011, is>
1 12 #6. Page 5, by striking lines 12 through 15.
1 13 #7. By renumbering as necessary.

WILLEMS of Linn

WINCKLER of Scott
HF585.1594 (1) 84
kh/rj



Iowa General Assembly
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House Amendment 1335

PAG LIN

1 1 Amend House File 392 as follows:
1 2 #1. Page 1, before line 22 by inserting:
1 3 <Sec. _____. Section 105.2, Code 2011, is amended by
1 4 adding the following new subsection:
1 5 NEW SUBSECTION. 14A. "Permit worker" means a
1 6 person who is a nonresident of Iowa working in Iowa for
1 7 an Iowa-based employer and who is allowed to work in
1 8 the discipline for which the worker permit is issued
1 9 for a period of six months.>
1 10 #2. Page 3, before line 30 by inserting:
1 11 <Sec. _____. Section 105.18, Code 2011, is amended by
1 12 adding the following new subsection:
1 13 NEW SUBSECTION. 5. Worker permit. Permit
1 14 workers must be able to demonstrate at least four
1 15 years' experience in the appropriate discipline as
1 16 a prerequisite for obtaining a permit. Completion
1 17 of a United States department of labor approved
1 18 apprenticeship program is required to obtain a permit.
1 19 Permit workers must work under the direct supervision
1 20 of an Iowa journeyman or master license holder, not
1 21 to exceed three permit workers for each Iowa licensed
1 22 journeyman or master license holder. Upon expiration
1 23 of the six-month permit, a six-month waiting period
1 24 must be completed before application for another
1 25 permit may occur. Permit fees are fifty dollars for
1 26 each discipline. Application for permits of separate
1 27 disciplines must be made at the same time and may not
1 28 be staggered in such a manner as to allow the permit
1 29 holder to work under a single or combined discipline
1 30 permit for longer than six months. The board shall
1 31 establish an expedited process enabling permit
1 32 applicants to begin work immediately upon submittal of
1 33 the work permit application and fees. The board has
1 34 the authority to retroactively revoke permits issued
1 35 under this subsection upon discovery of inadequate
1 36 experience.>
1 37 #3. By renumbering, redesignating, and correcting
1 38 internal references as necessary.

T. TAYLOR of Linn
HF392.1598 (1) 84
jr/sc



Iowa General Assembly
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House Amendment 1336

PAG LIN

1 1 Amend House File 584 as follows:
1 2 #1. Page 2, line 23, by striking <materials,> and
1 3 inserting <materials and>
1 4 #2. Page 2, lines 24 and 25, by striking
1 5 <requirements, and extra vehicle safety equipment> and
1 6 inserting <requirements>
1 7 #3. Page 2, after line 27 by inserting:
1 8 <c. The street or highway driving instruction
1 9 required under paragraph "a", subparagraph (2), shall
1 10 be conducted in a motor vehicle equipped with an
1 11 inside rearview mirror and an outside rearview mirror
1 12 mounted on each side of the vehicle for the use of the
1 13 driver, as well as an instructor's rearview mirror
1 14 which allows the driving instructor to see what is
1 15 happening behind the vehicle and an instructor's eye
1 16 check mirror which allows the driving instructor to
1 17 see at a glance where the student's eyes are focused.
1 18 The motor vehicle shall also be equipped with a dual
1 19 control, passenger=side brake pedal for use by the
1 20 driving instructor.>
1 21 #4. By renumbering as necessary.

STECKMAN of Cerro Gordo
HF584.1569 (1) 84
dea/nh



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House Amendment 1337

PAG LIN

1 1 Amend House File 549 as follows:
1 2 #1. Page 2, by striking line 35 and inserting <the
1 3 amount of the fine established in section 805.8A for an
1 4 equivalent violation charged as a scheduled violation.>
1 5 #2. By renumbering as necessary.

WINDSCHITL of Harrison
HF549.1583 (1) 84
dea/rj



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House Amendment 1338

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, line 24, after <facilities.> by
1 3 inserting <A nonpublic school that is accredited solely
1 4 by an independent accrediting agency in accordance
1 5 with this subsection, and the parents or guardians
1 6 of students enrolled in the nonpublic school who are
1 7 not enrolled in a school district for dual enrollment
1 8 purposes, are ineligible for state moneys or services
1 9 provided for under statute, including but not limited
1 10 to state moneys or services provided for under chapters
1 11 273, 285, and 301; however, students enrolled in
1 12 such a nonpublic school are eligible for services
1 13 in accordance with chapter 256B and section 256.12,
1 14 subsection 2. A nonpublic school accredited solely by
1 15 an independent accrediting agency in accordance with
1 16 this subsection is not a school tuition organization
1 17 for purposes of section 422.11S or 422.33.>

STECKMAN of Cerro Gordo
HF583.1602 (1) 84
kh/rj



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House Amendment 1339

PAG LIN

1 1 Amend House File 588 as follows:
1 2 #1. Page 4, line 19, after <instruction.> by
1 3 inserting <However, the parent of a child receiving
1 4 independent private instruction shall be responsible
1 5 for the curriculum, instructional support, and
1 6 educational materials costs necessary to provide
1 7 independent private instruction to the child.>
1 8 #2. By renumbering as necessary.

GAINES of Polk
HF588.1559 (1) 84
kh/sc



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House Amendment 1340

PAG LIN

1 1 Amend House File 584 as follows:
1 2 #1. Page 2, line 20, by striking <bicycles and
1 3 motorcycles.> and inserting <bicycles, motorcycles,
1 4 implements of husbandry, horse=drawn vehicles, and
1 5 other slow moving vehicles.>
1 6 #2. By renumbering as necessary.

GAINES of Polk
HF584.1576 (1) 84
dea/nh



Iowa General Assembly
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House Amendment 1341

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, line 6, after <shall> by inserting
1 3 <adopt by rule the criteria for inclusion on a list
1 4 of approved independent accrediting agencies. The
1 5 department shall>

GAINES of Polk
HF583.1599 (1) 84
kh/rj



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House Amendment 1342

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, line 16, by striking <and>
1 3 #2. Page 1, line 18, after <synod> by inserting <,
1 4 and any other religious and independent accreditation
1 5 entity>

ABDUL=SAMAD of Polk
HF583.1607 (1) 84
kh/sc



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House Amendment 1343

PAG LIN

1 1 Amend House File 569 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 39.3, subsection 7, Code 2011,
1 4 is amended to read as follows:
1 5 7. "General election" means the biennial election
1 6 for national or state officers, members of Congress and
1 7 of the general assembly, county and township officers,
1 8 and for the choice of other officers or the decision
1 9 of questions as provided by law and, where applicable,
1 10 includes the regular city election described in section
1 11 376.1.>
1 12 #2. Page 1, by striking line 10 and inserting
1 13 <forty days after the vacancy occurs general election
1 14 of a city, described in section 376.1 as the regular
1 15 city election,>
1 16 #3. By renumbering as necessary.

J. SMITH of Dickinson
HF569.1592 (2) 84
sc/nh



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House Amendment 1344

PAG LIN

1 1 Amend House File 569 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 43.24, subsection 1, paragraph
1 4 b, Code 2011, is amended by adding the following new
1 5 subparagraph:
1 6 NEW SUBPARAGRAPH. (2A) Objections to nominations
1 7 to fill vacancies in the office of representative in
1 8 Congress at a special election held under section 69.14
1 9 shall be filed with the state commissioner not less
1 10 than sixty days prior to the date set for the special
1 11 election.
1 12 Sec. _____. Section 43.24, subsection 1, paragraph
1 13 b, subparagraph (3), Code 2011, is amended to read as
1 14 follows:
1 15 (3) Objections to nominations to fill vacancies in
1 16 the general assembly at a special election held under
1 17 section 69.14, under which the forty=day notice of
1 18 election provision applies, shall be filed with the
1 19 state commissioner not less than fifteen days prior
1 20 to the date set for the special election. If the
1 21 forty=day notice provision does not apply, objections
1 22 to nominations to fill vacancies at a special election
1 23 held under section 69.14 may be filed any time prior to
1 24 the date set for the special election.
1 25 Sec. _____. Section 43.24, subsection 2, paragraph b,
1 26 Code 2011, is amended to read as follows:
1 27 b. If an objection is filed to a nomination to fill
1 28 a vacancy in the general assembly at a special election
1 29 held under section 69.14, under which the forty=day
1 30 notice of election provision of section 69.14 does
1 31 not apply, notice of the objection shall be made to
1 32 the candidate by the state commissioner as soon as
1 33 practicable. Under this paragraph, failure to notify a
1 34 candidate of an objection to the candidate's nomination
1 35 prior to the date set for the special election does not
1 36 invalidate the hearing conducted under subsection 3.
1 37 The hearing to an objection shall proceed as quickly as
1 38 possible to expedite the special election.
1 39 Sec. _____. Section 43.88, Code 2011, is amended to
1 40 read as follows:
1 41 43.88 Certification of nominations.
1 42 1. Nominations made by state, district, and county
1 43 conventions, shall, under the name, place of residence,
1 44 and post office address of the nominee, and the office
1 45 to which nominated, and the name of the political party
1 46 making the nomination, be forthwith certified to the
1 47 proper officer by the chairperson and secretary of
1 48 the convention, or by the committee, as the case may
1 49 be, and if such certificate is received in time, the
1 50 names of such nominees shall be printed on the official



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House Amendment 1344 continued

2 1 ballot the same as if the nomination had been made in
2 2 the primary election.
2 3 2. Nominations made to fill vacancies in the office
2 4 of representative in Congress at a special election
2 5 shall be certified to the state commissioner not less
2 6 than sixty=two days prior to the date set for the
2 7 special election. Nominations made to fill vacancies
2 8 in other offices to which this chapter applies at a
2 9 special election shall be certified to the proper
2 10 official not less than twenty=five days prior to the
2 11 date set for the special election. In the event the
2 12 special election is to fill a vacancy in the general
2 13 assembly while it is in session or within forty=five
2 14 days of the convening of any session, the nomination
2 15 shall be certified not less than fourteen days before
2 16 the date of the special election.
2 17 3. Nominations certified to the proper official
2 18 under this section shall be accompanied by an affidavit
2 19 executed by the nominee in substantially the form
2 20 required by section 43.67.
2 21 Sec. _____. Section 44.4, subsection 1, Code 2011, is
2 22 amended to read as follows:
2 23 1. Nominations made pursuant to this chapter and
2 24 chapter 45 which are required to be filed in the office
2 25 of the state commissioner shall be filed in that office
2 26 not more than ninety=nine days nor later than 5:00 p.m.
2 27 on the eighty=first day before the date of the general
2 28 election to be held in November. Nominations made for
2 29 a special election called pursuant to section 69.14 to
2 30 fill vacancies in the general assembly shall be filed
2 31 by 5:00 p.m. not less than twenty=five days before
2 32 the date of an election called upon at least forty
2 33 days' notice and not less than fourteen days before
2 34 the date of an election called upon at least eighteen
2 35 days' notice. Nominations made to fill vacancies in
2 36 the office of representative in Congress at a special
2 37 election shall be certified to the state commissioner
2 38 not less that sixty=two days prior to the date set
2 39 for the special election. Nominations made for a
2 40 special election called pursuant to section 69.14A
2 41 shall be filed by 5:00 p.m. not less than twenty=five
2 42 days before the date of the election. Nominations
2 43 made pursuant to this chapter and chapter 45 which are
2 44 required to be filed in the office of the commissioner
2 45 shall be filed in that office not more than ninety=two
2 46 days nor later than 5:00 p.m. on the sixty=ninth day
2 47 before the date of the general election. Nominations
2 48 made pursuant to this chapter or chapter 45 for city
2 49 office shall be filed not more than seventy=two days
2 50 nor later than 5:00 p.m. on the forty=seventh day



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House Amendment 1344 continued

3 1 before the city election with the city clerk, who shall
3 2 process them as provided by law.

3 3 Sec. _____. Section 44.4, subsection 2, paragraph
3 4 a, Code 2011, is amended by adding the following new
3 5 subparagraphs:

3 6 NEW SUBPARAGRAPH. (2A) Objections to nominations
3 7 to fill vacancies in the office of representative in
3 8 Congress at a special election held under section 69.14
3 9 shall be filed with the state commissioner not less
3 10 than sixty days prior to the date set for the special
3 11 election.

3 12 NEW SUBPARAGRAPH. (2B) Objections to nominations
3 13 to fill vacancies in the general assembly at a special
3 14 election held under section 69.14, under which the
3 15 forty-day notice of election provision applies, shall
3 16 be filed with the state commissioner not less than
3 17 fifteen days prior to the date set for the special
3 18 election. If the forty-day notice provision does not
3 19 apply, objections to nominations to fill vacancies at
3 20 a special election held under section 69.14 may be
3 21 filed any time prior to the date set for the special
3 22 election.

3 23 Sec. _____. Section 69.14, Code 2011, is amended to
3 24 read as follows:

3 25 69.14 Special election to fill vacancies.

3 26 A special election to fill a vacancy shall be
3 27 held for a representative in Congress, or senator or
3 28 representative in the general assembly, when the body
3 29 in which such vacancy exists is in session, or will
3 30 convene prior to the next general election, ~~and the.~~

3 31 The governor shall order, not later than five days from
3 32 the date the vacancy exists, a special election, giving
3 33 not less than seventy-six days' notice of such election

3 34 to fill a vacancy in the office of representative in
3 35 Congress or forty days' notice of such election to fill
3 36 a vacancy in the office of senator or representative

3 37 in the general assembly. In the event the special
3 38 election is to fill a vacancy in the general assembly
3 39 while it is in session or within forty-five days of
3 40 the convening of any session, the time limit provided
3 41 in this section shall not apply and the governor shall
3 42 order such special election at the earliest practical
3 43 time, giving at least eighteen days' notice of the
3 44 special election. Any special election called under
3 45 this section must be held on a Tuesday and shall not be
3 46 held on the same day as a school election within the
3 47 district.>

3 48 #2. Title page, line 1, after <vacancies> by
3 49 inserting <in the office of representative in Congress
3 50 and>



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House Amendment 1344 continued

4 1 #3. By renumbering as necessary.

J. SMITH of Dickinson
HF569.1593 (1) 84
sc/nh



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House Amendment 1345

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 2, line 11, after <permit> by inserting
1 3 <and public health and safety>

MASCHER of Johnson
HF561.1581 (2) 84
rn/nh



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House Amendment 1346

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 2, line 4, by striking <safe, reliable, and
1 3 secure>

MASCHER of Johnson
HF561.1586 (2) 84
rn/nh



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House Amendment 1347

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, by striking line 22 and inserting <meet
1 3 the education standards of this section, and shall
1 4 employ as a practitioner only a person licensed under
1 5 chapter 272 with an endorsement for the type of service
1 6 for which the person is employed.>
1 7 #2. Page 1, line 23, by striking <However, such> and
1 8 inserting <Such>
1 9 #3. Page 1, line 24, after <facilities> by inserting
1 10 <, including but not limited to the standards adopted
1 11 by the state fire marshal for school buildings
1 12 under chapter 100, safety device requirements under
1 13 sections 280.10 and 280.11, and school transportation
1 14 requirements under chapter 285>

WINCKLER of Scott
HF583.1608 (1) 84
kh/sc



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House Amendment 1348

PAG LIN

1 1 Amend House File 588 as follows:
1 2 #1. Page 4, after line 32 by inserting:
1 3 <() Is provided in a building that meets all
1 4 applicable federal, state, and local health and safety
1 5 requirements as if the building in which instruction
1 6 is provided is a school building, including but not
1 7 limited to the standards adopted by the state fire
1 8 marshal for school buildings under chapter 100.>
1 9 #2. By renumbering as necessary.

WINCKLER of Scott
HF588.1605 (1) 84
kh/sc



Iowa General Assembly
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House Amendment 1349

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 2, line 2, after <the> by inserting <safe
1 3 and>

WINCKLER of Scott
HF561.1587 (2) 84
rn/nh



Iowa General Assembly
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House Amendment 1350

PAG LIN

1 1 Amend House File 584 as follows:
1 2 #1. Page 2, after line 27 by inserting:
1 3 <c. Every motor vehicle used to conduct street
1 4 or highway driving required under paragraph "a",
1 5 subparagraph (2), shall be equipped with signs
1 6 reading "student driver", visible from all sides of
1 7 the vehicle, to notify other drivers that there is a
1 8 student driver operating the vehicle.>
1 9 #2. By renumbering as necessary.

KELLEY of Jasper
HF584.1573 (3) 84
dea/nh



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House Amendment 1351

PAG LIN

1 1 Amend House File 584 as follows:
1 2 #1. Page 1, by striking lines 10 through 19 and
1 3 inserting <identified by the curriculum committee as
1 4 provided in subsection 3, paragraph "c", to be taught
1 5 by a teaching parent.>
1 6 #2. Page 1, line 30, by striking <and>
1 7 #3. Page 1, line 32, by striking <years.> and
1 8 inserting <years; and who has successfully completed a
1 9 training course for parents approved by the curriculum
1 10 committee pursuant to subsection 3, paragraph "c".>
1 11 #4. Page 2, after line 27 by inserting:
1 12 <c. (1) A curriculum committee is created
1 13 consisting of the director of transportation or the
1 14 director's designee, the director of the department of
1 15 education or the director's designee, and the president
1 16 of the Iowa association of safety education or the
1 17 president's designee. The committee shall elect a
1 18 chair from among its members and shall adopt rules of
1 19 procedure. A majority of the members constitutes a
1 20 quorum. The committee shall meet at the call of the
1 21 chairperson, but no less frequently than every five
1 22 years. Meetings of the committee shall be subject to
1 23 the provisions for open meetings under chapter 21.
1 24 (2) The committee shall identify one or more
1 25 recommended curricula comprising an approved course to
1 26 be administered by a teaching parent. In addition,
1 27 the committee shall identify curricula for a training
1 28 course for parents. The committee may annually approve
1 29 changes to the curricula. The committee shall approve
1 30 a standard curriculum list for each course at least
1 31 once every five years.
1 32 (3) An approved course shall, at a minimum,
1 33 meet the requirements of paragraphs "a" and "b" and
1 34 be appropriate for teaching=parent=directed driver
1 35 education and related street or highway instruction.
1 36 The list of approved courses to be administered by a
1 37 teaching parent and the list of training courses for
1 38 parents shall be posted on the department's internet
1 39 site.>
1 40 #5. By renumbering as necessary.

HANSON of Jefferson
HF584.1319 (2) 84
dea/nh



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House Amendment 1352

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 2, lines 6 and 7, by striking <,
1 3 substantial economic development benefits,>

WESSEL=KROESCHELL of Story
HF561.1584 (1) 84
rn/nh



Iowa General Assembly
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House Amendment 1353

PAG LIN

- 1 1 Amend House File 561 as follows:
- 1 2 #1. Page 2, line 8, by striking <significantly>

WESSEL=KROESCHELL of Story
HF561.1582 (2) 84
rn/nh



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House Amendment 1354

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 2, line 20, after <licensing,> by inserting
1 3 <operation that has not endangered the public or
1 4 environment,>

LENSING of Johnson
HF561.1580 (2) 84
rn/nh



Iowa General Assembly
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House Amendment 1355

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 2, line 5, after <States> by inserting <and
1 3 worldwide>

LENSING of Johnson
HF561.1585 (3) 84
rn/nh



Iowa General Assembly
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House Amendment 1356

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 6A.1, Code 2011, is amended to
1 4 read as follows:
1 5 6A.1 Exercise of power by state.
1 6 1. Proceedings may be instituted and maintained by
1 7 the state of Iowa, or for the use and benefit thereof,
1 8 for the condemnation of such private property as may be
1 9 necessary for any public improvement which the general
1 10 assembly has authorized to be undertaken by the state,
1 11 and for which an available appropriation has been made.
1 12 The executive council shall institute and maintain such
1 13 proceedings in case authority to so do be not otherwise
1 14 delegated.
1 15 2. Notwithstanding any other provision of law to
1 16 the contrary, the condemnation authority granted in
1 17 this section shall not extend to the construction of
1 18 a nuclear power generation facility and appurtenant
1 19 structures or a small modular reactor generation
1 20 facility and appurtenant structures.>
1 21 #2. By renumbering as necessary.

HUNTER of Polk
HF561.1578 (2) 84
rn/nh



Iowa General Assembly
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House Amendment 1357

PAG LIN

1 1 Amend House File 561 as follows:

1 2 #1. Page 1, by striking lines 30 through 35 and

1 3 inserting:

1 4 <b. The general assembly's intent with regard to
1 5 the reliability of electric service to Iowa consumers,
1 6 as provided in this subsection ~~±~~, shall be implemented
1 7 by considering the diversity of the types of fuel used
1 8 or with potential to be used to generate electricity,
1 9 the availability and reliability of fuel supplies,
1 10 the sufficiency of demand=reduction strategies and
1 11 programs, and the impact of the volatility of fuel

1 12 costs.>

1 13 #2. Page 8, line 2, after <facility.> by inserting

1 14 <Such a case shall demonstrate that the need for

1 15 additional baseload generating capacity justifying the

1 16 application cannot be achieved in whole or in part

1 17 through any combination of demand reduction strategies,

1 18 or any combination of demand reduction strategies and

1 19 alternative generating options.>

ISENHART of Dubuque

HF561.1535 (2) 84

rn/nh



Iowa General Assembly
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House Amendment 1358

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <Section 1. NUCLEAR POWER EXPANSION INTERIM STUDY
1 5 COMMITTEE.
1 6 1. The legislative council is requested to
1 7 establish an interim study committee to review the
1 8 results of any analyses undertaken by a rate=regulated
1 9 public utility that was subject to a revenue=sharing
1 10 settlement agreement with regard to its electric base
1 11 rates as of January 1, 2010, regarding the possible
1 12 construction of nuclear generating facilities in this
1 13 state as provided in section 476.6, subsection 2.
1 14 2. The study committee shall be composed of ten
1 15 members of the general assembly. Five members shall be
1 16 members of the senate, three of whom shall be appointed
1 17 by the majority leader of the senate, and two of
1 18 whom shall be appointed by the minority leader of the
1 19 senate. Five members shall be members of the house of
1 20 representatives, three of whom shall be appointed by
1 21 the speaker of the house of representatives, and two of
1 22 whom shall be appointed by the minority leader of the
1 23 house of representatives.
1 24 3. The study committee shall issue a report to
1 25 the general assembly containing its findings and
1 26 recommendations by January 15, 2012.>
1 27 #2. Title page, by striking lines 1 and 2 and
1 28 inserting <An Act requesting the formation of an
1 29 interim study committee to review the results of
1 30 specified analyses regarding the possible construction
1 31 of nuclear generating facilities in this state.>
1 32 #3. By renumbering as necessary.

ISENHART of Dubuque
HF561.1595 (3) 84
rn/nh



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House Amendment 1359

PAG LIN

1 1 Amend House File 561 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. Section 476.6, subsection 16, paragraph
1 4 g, Code 2011, is amended to read as follows:
1 5 g. A gas or electric utility required to be
1 6 rate=regulated under this chapter may recover, through
1 7 an automatic adjustment mechanism filed pursuant to
1 8 subsection 8, over a period not to exceed the term of
1 9 the plan, a return on and return of the costs of an
1 10 energy efficiency plan approved by the board, including
1 11 amounts for a plan approved prior to July 1, 1996,
1 12 in a contested case proceeding conducted pursuant
1 13 to paragraph "e". A return on such costs shall be
1 14 allowed only to the extent that such costs can be
1 15 documented to have resulted in energy demand reduction
1 16 by specific customers. The board shall periodically
1 17 conduct a contested case proceeding to evaluate
1 18 the reasonableness and prudence of the utility's
1 19 implementation of an approved energy efficiency plan
1 20 and budget. If a utility is not taking all reasonable
1 21 actions to cost=effectively implement an approved
1 22 energy efficiency plan, the board shall not allow the
1 23 utility to recover from customers costs in excess of
1 24 those costs that would be incurred under reasonable and
1 25 prudent implementation and shall not allow the utility
1 26 to recover future costs at a level other than what the
1 27 board determines to be reasonable and prudent. If the
1 28 result of a contested case proceeding is a judgment
1 29 against a utility, that utility's future level of
1 30 cost recovery shall be reduced by the amount by which
1 31 the programs were found to be imprudently conducted.
1 32 The utility shall not represent energy efficiency in
1 33 customer billings as a separate cost or expense unless
1 34 the board otherwise approves.>
1 35 #2. By renumbering as necessary.

ISENHART of Dubuque
HF561.1538 (1) 84
rn/nh



Iowa General Assembly
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House Amendment 1360

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, after line 24 by inserting:
1 3 <____. The parent or guardian of a student
1 4 enrolled in a nonpublic school that participates in
1 5 the accreditation process offered by an independent
1 6 accrediting agency on the approved list published
1 7 pursuant to paragraph "a" shall sign a statement
1 8 acknowledging that the nonpublic school is not
1 9 accredited by the department, and the nonpublic school
1 10 shall include the signed statement in the student's
1 11 cumulative records.>
1 12 #2. By renumbering as necessary.

MASCHER of Johnson
HF583.1610 (2) 84
kh/sc



Iowa General Assembly
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House Amendment 1361

PAG LIN

- 1 1 Amend House File 561 as follows:
- 1 2 #1. Page 8, by striking lines 24 through 33.

HUNTER of Polk
HF561.1579 (2) 84
rn/nh



Iowa General Assembly
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House Amendment 1362

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, after line 24 by inserting:
1 3 <____. A student or the parent or guardian of
1 4 a student enrolled in a nonpublic school that
1 5 participates in the accreditation process offered by
1 6 an independent accrediting agency on the approved list
1 7 published pursuant to paragraph "a" who is aggrieved by
1 8 a decision or order of the authorities in charge of the
1 9 nonpublic school may file a complaint with the state
1 10 board in the manner provided for in chapter 290 as if
1 11 the nonpublic school is a school corporation.>
1 12 #2. By renumbering as necessary.

WILLEMS of Linn
HF583.1612 (2) 84
kh/sc



Iowa General Assembly
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House Amendment 1363

PAG LIN

1 1 Amend House File 583 as follows:
1 2 #1. Page 1, after line 24 by inserting:
1 3 <____. A student or the parent or guardian of
1 4 a student enrolled in a nonpublic school that
1 5 participates in the accreditation process offered by
1 6 an independent accrediting agency on the approved list
1 7 published pursuant to paragraph "a" who is aggrieved by
1 8 a decision or order of the authorities in charge of the
1 9 nonpublic school may file a complaint with the state
1 10 board in the manner provided for in chapter 290 as if
1 11 the nonpublic school is a school corporation. The
1 12 nonpublic school shall not take adverse action against
1 13 the student or the parent or guardian of a student who
1 14 files a complaint with the state board pursuant to this
1 15 lettered paragraph.>
1 16 #2. By renumbering as necessary.

WILLEMS of Linn
HF583.1613 (1) 84
kh/sc



Iowa General Assembly
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House Amendment 1364

PAG LIN

1 1 Amend House File 549 as follows:

1 2 #1. Page 3, after line 17 by inserting:

1 3 <Sec. _____. Section 364.3, subsection 2, Code 2011,
1 4 is amended to read as follows:

1 5 2. For a violation of an ordinance a city shall
1 6 not provide a penalty in excess of the maximum fine
1 7 and term of imprisonment for a simple misdemeanor
1 8 under section 903.1, subsection 1, paragraph "a". ~~An~~

~~1 9 Except as otherwise provided in this subsection, an~~
1 10 amount equal to ten percent of all fines collected by
1 11 cities shall be deposited in the account established in
1 12 section 602.8108. ~~However, one~~

1 13 a. One hundred percent of all fines collected by a
1 14 city pursuant to section 321.236, subsection 1, shall
1 15 be retained by the city.

1 16 b. One hundred percent of the fines collected from
1 17 the use of an automated traffic enforcement system
1 18 shall be deposited in the city's automated traffic
1 19 enforcement program account established pursuant to
1 20 section 384.3B.

1 21 c. The criminal penalty surcharge required by
1 22 section 911.1 shall be added to a city fine and is not
1 23 a part of the city's penalty.

1 24 Sec. _____. NEW SECTION. 384.3B Automated traffic
1 25 enforcement program account.

1 26 1. A city that uses an automated traffic
1 27 enforcement system shall establish an automated traffic
1 28 enforcement program account within the city's general
1 29 fund. Interest earned on revenues deposited in the
1 30 account pursuant to section 364.3, subsection 2, shall
1 31 remain in the account and be used for the purposes
1 32 specified in this section. Moneys in the account are
1 33 not subject to transfer to any other accounts in the
1 34 city's general fund or to any other funds established
1 35 by a city unless such transfer is for a purpose
1 36 specified in this section.

1 37 2. Moneys in the account shall be used first to pay
1 38 the costs of operating the city's automated traffic
1 39 enforcement program.

1 40 3. Moneys in the account in excess of the amount
1 41 necessary for the purpose specified in subsection 2
1 42 shall be deposited in the city's street construction
1 43 fund.>

1 44 #2. By renumbering as necessary.

WINDSCHITL of Harrison
HF549.1609 (2) 84
dea/sc



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House Resolution 25 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY DRAKE, BERRY, MASCHER, PETERSEN, ARNOLD, ANDERSON,
and S. OLSON

1 1 A Resolution inviting the people of Yamanashi
1 2 Prefecture, Japan, to be the guests of the State of
1 3 Iowa at the rededication of the Japanese Bell of
1 4 Peace and Friendship.
1 5 WHEREAS, the people of Yamanashi Prefecture in 1959
1 6 suffered two devastating typhoons that destroyed their
1 7 livestock industry; and
1 8 WHEREAS, the people of Iowa, under the leadership of
1 9 Iowa native Master Sergeant Richard Thomas, the Iowa
1 10 Corn Growers Association, the United States Department
1 11 of Agriculture, and the United States Department
1 12 of Defense, donated resources, sending 36 lean meat
1 13 breeding hogs and 60,000 bushels of corn for feed to
1 14 that area of Japan; and
1 15 WHEREAS, the people of Yamanashi Prefecture
1 16 responded in kind during Iowa's flood disaster of 1993,
1 17 when the Governor of Yamanashi Prefecture presented a
1 18 generous gift of monetary assistance for flood relief
1 19 to the farmers of Iowa; and
1 20 WHEREAS, the people of Yamanashi Prefecture in 1961
1 21 presented a beautiful bronze temple bell and bell
1 22 house to the people of Iowa as an expression of their
1 23 gratitude to all Iowans for having reached out to them
1 24 in their time of great need; and
1 25 WHEREAS, the bell and bell house were installed on
1 26 the south Capitol grounds in Des Moines, Iowa, with
1 27 great ceremony in recognition of the great respect,
1 28 mutual understanding, and friendship between these two



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House Resolution 25 - Introduced continued

2 1 states; and

2 2 WHEREAS, having graced the Statehouse grounds for
2 3 half a century, a major effort is underway to restore
2 4 the Japanese bell site to its original condition, aided
2 5 by an Iowa public/private fund-raising effort; and

2 6 WHEREAS, officials of Iowa and Yamanashi Prefecture
2 7 have expressed the wish to recognize the 50th
2 8 anniversary of that occasion in 2011 by rededicating
2 9 the bell and bell house to that continuing friendship
2 10 and sister state relationship; NOW THEREFORE,

2 11 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
2 12 the House of Representatives extends its invitation to
2 13 the Governor of Yamanashi Prefecture and the Chairman
2 14 of the Yamanashi Prefectural Assembly, to visit our
2 15 Capitol grounds during the time of the Iowa State Fair
2 16 in August 2011; and

2 17 BE IT FURTHER RESOLVED, That the House of
2 18 Representatives does hereby proclaim the 50th
2 19 anniversary of the Iowa-Yamanashi sister state
2 20 relationship and asks all Iowans to extend to our
2 21 visitors every courtesy and accommodation as befits the
2 22 rededication of the Japanese temple bell and bell house
2 23 as a symbol of the bond of unfailing friendship between
2 24 our peoples; and

2 25 BE IT FURTHER RESOLVED, That the sound of the bell
2 26 shall deepen the connection between both peoples and
2 27 continue to stand as a symbol of eternal peace between
2 28 our countries.

LSB 2301HH (6) 84

jr/nh



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House Resolution 26 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY L. MILLER, RUNNING-MARQUARDT, and PETERSEN

1 1 A Resolution recognizing May as Lupus Awareness Month
1 2 in Iowa.

1 3 WHEREAS, the Lupus Foundation of America designates
1 4 May as National Lupus Awareness Month to show support
1 5 for all Americans who have lupus; and

1 6 WHEREAS, lupus is an acute and chronic autoimmune
1 7 disease in which the immune system is unbalanced,
1 8 causing inflammation and tissue damage to virtually
1 9 every organ system in the body; and

1 10 WHEREAS, lupus can affect any part of the body,
1 11 including the skin, lungs, heart, kidneys, and brain,
1 12 and can cause seizures, strokes, heart attacks,
1 13 miscarriages, and organ failure; and

1 14 WHEREAS, although lupus strikes mostly women of
1 15 childbearing age, no one is immune from lupus; and
1 16 African Americans, Hispanics, Asians, and Native
1 17 Americans are two to three times more likely to develop
1 18 lupus, a disparity that remains unexplained; and

1 19 WHEREAS, lupus can be particularly difficult to
1 20 diagnose because its symptoms are similar to those
1 21 of many other illnesses, with more than one-half of
1 22 all people with lupus enduring four or more years of
1 23 suffering and visiting three or more doctors before
1 24 obtaining a correct diagnosis; and

1 25 WHEREAS, major gaps exist in understanding
1 26 the causes and consequences of lupus, and current
1 27 treatments for the disease can have damaging side
1 28 effects; and



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House Resolution 26 - Introduced continued

2 1 WHEREAS, in 2011 the United States Food and Drug
2 2 Administration has approved the first new drug for
2 3 lupus in half a century; and
2 4 WHEREAS, 16,000 Americans develop lupus every
2 5 year and 500,000 to 1.5 million Americans have been
2 6 diagnosed with the disease, including nearly 15,000
2 7 people in Iowa; NOW THEREFORE,
2 8 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 9 That the House of Representatives recognizes May
2 10 2011 as Lupus Awareness Month in Iowa and urges all
2 11 Iowans to observe this month by educating themselves
2 12 on the symptoms and impact of lupus, and to join with
2 13 the Iowa Chapter of the Lupus Foundation of America
2 14 in supporting programs of research, education, and
2 15 community service.
LSB 2739HH (3) 84
jr/rj



Iowa General Assembly
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Senate Amendment 3105

PAG LIN

1 1 Amend Senate File 367 as follows:
1 2 #1. Page 1, by striking lines 4 through 7 and
1 3 inserting <to distribute the guidelines of the centers
1 4 for disease control and prevention of the United States
1 5 department of health and human services and other
1 6 pertinent information to inform and educate coaches,
1 7 students, and the parents and guardians of students of
1 8 the risks, signs, symptoms, and behaviors consistent
1 9 with a>
1 10 #2. Page 1, line 9, by striking <athletic> and
1 11 inserting <extracurricular interscholastic>
1 12 #3. Page 1, line 10, after <injury> by inserting
1 13 <and their responsibility to report such signs,
1 14 symptoms, and behaviors if they occur>
1 15 #4. Page 1, by striking lines 12 through 18 and
1 16 inserting <provide to the parent or guardian of each
1 17 student a concussion and brain injury information
1 18 sheet, as provided by the Iowa high school athletic
1 19 association and the Iowa girls high school athletic
1 20 union. The student and the student's parent or
1 21 guardian shall sign and return the concussion and brain
1 22 injury information sheet to the student's school prior
1 23 to the student's participation>
1 24 #5. Page 1, line 19, by striking <athletic>
1 25 #6. Page 1, by striking lines 21 through 25 and
1 26 inserting:
1 27 <2. If a student's coach or contest official
1 28 observes signs, symptoms, or behaviors consistent with
1 29 a concussion or brain injury in an extracurricular
1 30 interscholastic activity, the student shall be
1 31 immediately removed from participation.>
1 32 #7. Page 1, line 26, by striking <athlete>
1 33 #8. Page 1, line 28, by striking <athlete>
1 34 #9. Page 1, line 30, by striking <athlete>
1 35 #10. Page 1, line 35, after <nurse,> by inserting
1 36 <physical therapist,>
1 37 #11. Page 2, after line 1 by inserting:
1 38 <c. For the purposes of this section, an
1 39 "extracurricular interscholastic activity" means any
1 40 extracurricular interscholastic activity, contest, or
1 41 practice, including sports, dance, or cheerleading.>
1 42 #12. Page 2, by striking lines 2 through 5.
1 43 #13. Title page, line 1, by striking <student
1 44 athletes> and inserting <students>
1 45 #14. By renumbering as necessary.

TOD BOWMAN
SF367.1513 (2) 84
je/nh



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Senate Amendment 3106

PAG LIN

1 1 Amend the amendment, S=3100, to Senate File 490 as
1 2 follows:
1 3 #1. Page 1, after line 5 by inserting:
1 4 <___. Page 1, lines 17 and 18, by striking <, or a
1 5 group of financial institutions,>>
1 6 #2. Page 1, after line 9 by inserting:
1 7 <___. Page 1, line 22, by striking <or a group of
1 8 financial institutions>>
1 9 #3. Page 1, after line 15 by inserting:
1 10 <___. Page 1, line 35, by striking <or a group of
1 11 financial institutions>>
1 12 #4. By striking page 1, line 49, through page 2,
1 13 line 1, and inserting:
1 14 <___. Page 2, by striking lines 32 through 34 and
1 15 inserting <the drawing.>>
1 16 #5. Page 2, by striking lines 6 through 11 and
1 17 inserting:
1 18 <___. Page 3, by striking lines 15 through 19 and
1 19 inserting <in a savings promotion drawing that is more
1 20 than one hundred dollars in value per week and shall
1 21 not award prizes in excess of five thousand two hundred
1 22 dollars per year.>>
1 23 #6. Page 2, before line 12 by inserting:
1 24 <___. Page 3, lines 20 and 21, by striking <or
1 25 group of financial institutions>>
1 26 #7. By renumbering, redesignating, and correcting
1 27 internal references as necessary.

RANDY FEENSTRA
S3100.1494 (2) 84
aw/nh



Iowa General Assembly
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Senate Amendment 3107

PAG LIN

1 1 Amend Senate File 482 as follows:
1 2 #1. Page 1, by striking lines 11 and 12 and
1 3 inserting <resource and referral agencies throughout
1 4 the state, based upon the distribution of the child
1 5 population in the state.>

WILLIAM DOTZLER
SF482.1450 (1) 84
jp/nh



Iowa General Assembly
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Senate Amendment 3108

PAG LIN

1 1 Amend Senate File 293 as follows:
1 2 #1. Page 2, by striking lines 25 and 26 and
1 3 inserting:
1 4 <NEW SUBSECTION. 8A. A licensed naturopathic
1 5 physician may>
1 6 #2. By striking page 3, line 21, through page 4,
1 7 line 16.
1 8 #3. Page 7, by striking lines 18 through 23 and
1 9 inserting:
1 10 <1. A naturopathic advisory council is established,
1 11 consisting of the following members, appointed by the
1 12 governor:
1 13 a. Four members who are naturopathic physicians
1 14 who are residents of the state of Iowa and who are
1 15 currently licensed in good standing in another state.
1 16 b. One member who is a pharmacist licensed in
1 17 Iowa.>
1 18 #4. Page 7, by striking line 25 and inserting
1 19 <licensed in Iowa, who has expertise in integrative>
1 20 #5. Page 7, after line 26 by inserting:
1 21 d. One member representing the general public.>
1 22 #6. Page 9, line 28, after <dentist,> by inserting
1 23 <pharmacist,>
1 24 #7. Page 11, after line 6 by inserting:
1 25 <Sec. _____. FUNDING. The board of medicine shall
1 26 apply to the department of administrative services to
1 27 request an allocation of moneys from the IowAccess
1 28 revolving fund to fund the estimated seventy=five
1 29 thousand dollars for expansion of the advanced Maryland
1 30 automatic network disk archiver (AMANDA) system to
1 31 allow licensure of naturopathic physicians in the
1 32 AMANDA system currently being developed for the boards
1 33 of dentistry, nursing, and medicine. The board shall
1 34 not implement a fee increase to make this adjustment
1 35 to the AMANDA system for naturopathic physicians.
1 36 Until such changes are made to the electronic licensing
1 37 system the board shall license naturopathic physicians
1 38 under the current procedures used to license medical
1 39 and osteopathic physicians.>
1 40 #8. By renumbering, redesignating, and correcting
1 41 internal references as necessary.

JEFF DANIELSON
SF293.1521 (2) 84
jr/nh



Iowa General Assembly
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Senate Amendment 3109

PAG LIN

1 1 Amend Senate File 328 as follows:
1 2 #1. By striking page 1, line 4, through page 10,
1 3 line 9, and inserting:
1 4 <Sec. _____. NEW SECTION. 260.2H Pathways for
1 5 academic career and employment fund.
1 6 There is established in the state treasury a
1 7 pathways for academic career and employment fund to be
1 8 administered by the department of economic development.
1 9 Moneys in the fund shall be allocated in the manner and
1 10 for the purposes provided in section 260C.18A. There
1 11 is appropriated from the general fund of the state to
1 12 the pathways for academic career and employment fund
1 13 for each fiscal year the sum of ten million dollars.
1 14 Notwithstanding section 8.33, moneys in the fund at the
1 15 end of a fiscal year shall not revert to the general
1 16 fund of the state. Notwithstanding section 12C.7,
1 17 subsection 2, interest or earnings on moneys in the
1 18 fund shall be credited to the fund.>
1 19 #2. Title page, by striking line 3.
1 20 #3. By renumbering as necessary.

BILL ANDERSON

ROBERT BACON

MERLIN BARTZ

JERRY BEHN

RICK BERTRAND

NANCY J. BOETTGER

MARK CHELGREN

BILL DIX



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JONI ERNST

RANDY FEENSTRA

SANDRA H. GREINER

JAMES F. HAHN

SHAWN HAMERLINCK

HUBERT HOUSER

DAVID JOHNSON

TIM KAPUCIAN

STEVE KETTERING

PAUL MCKINLEY

JAMES A. SEYMOUR

ROBY SMITH

KENT SORENSON

PAT WARD

JACK WHITVER



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BRAD ZAUN
SF328.1327 (3) 84
je/nh



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Senate Amendment 3110

PAG LIN

1 1 Amend Senate File 494 as follows:

1 2 #1. Page 1, line 8, after <b.> by inserting <(1)>

1 3 #2. Page 1, by striking lines 10 through 12 and

1 4 inserting <mortgagor filed with the court prior to

1 5 the sale and in lieu of a sheriff's deed or sheriff's

1 6 certificate of sale, elect to receive an assignment by

1 7 court order without recourse of all of the judgment

1 8 creditor's in rem>

1 9 #3. Page 1, by striking lines 21 through 26 and

1 10 inserting <the sale resulting in the assignment.

1 11 (2) An assignment under this paragraph "b" shall

1 12 not affect the right of the judgment creditor to

1 13 enforce a deficiency judgment against other property

1 14 of the judgment debtor, nor shall it bar a subsequent

1 15 recision or execution against the property on the

1 16 judgment assigned by the assignee.

1 17 (3) An assignee under this paragraph "b" is

1 18 subject to the applicable provisions of chapters 535B,

1 19 714E, and 714F unless the assignee is related to the

1 20 mortgagor or the mortgagor's spouse within the third

1 21 degree of consanguinity or affinity.>

1 22 #4. By renumbering as necessary.

ROBERT M. HOGG
SF494.1540 (1) 84
rh/nh



Iowa General Assembly
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Senate Amendment 3111

PAG LIN

1 1 Amend Senate File 412 as follows:
1 2 #1. Page 2, by striking lines 6 through 9 and
1 3 inserting:
1 4 <Sec. _____. Section 357E.11, Code 2011, is amended
1 5 to read as follows:
1 6 357E.11 Bonds in anticipation of revenue.
1 7 A district, other than a combined district,
1 8 may anticipate the collection of taxes by the levy
1 9 authorized in this chapter, and to carry out the
1 10 purposes of this chapter may issue bonds payable in
1 11 not more than twenty equal installments with the rate
1 12 of interest not exceeding that permitted by chapter
1 13 74A. An indebtedness shall not be incurred under this
1 14 ~~chapter~~ section until authorized by an election. The
1 15 election shall be held and notice given in the same
1 16 manner as provided in section 357E.8, and the same
1 17 majority vote is necessary to authorize indebtedness.
1 18 Both propositions may be submitted to the voters at the
1 19 same election.
1 20 Sec. _____. NEW SECTION. 357E.11A Bonds and
1 21 indebtedness ==== combined districts.
1 22 1. A combined district may borrow money for its
1 23 corporate purposes,>
1 24 #2. Page 2, line 18, after <A> by inserting
1 25 <combined>
1 26 #3. Page 2, line 24, by striking <chapter> and
1 27 inserting <section>
1 28 #4. Page 2, line 26, after <include> by inserting
1 29 <combined>
1 30 #5. Page 2, line 28, after <a> by inserting
1 31 <combined>
1 32 #6. Page 2, line 32, after <by> by inserting
1 33 <combined>
1 34 #7. By renumbering as necessary.

MERLIN BARTZ

MARY JO WILHELM
SF412.1532 (2) 84
md/sc



Iowa General Assembly
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Senate Amendment 3112

PAG LIN

1 1 Amend House File 267, as passed by the House, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. Section 303.2, subsection 2, paragraph
1 6 c, Code 2011, is amended to read as follows:
1 7 c. Develop standards and criteria for the
1 8 acquisition of historic properties and for the
1 9 preservation, restoration, maintenance, operation, and
1 10 interpretation of properties under the jurisdiction
1 11 of the division. The administrator of the division
1 12 shall serve as the state historic preservation
1 13 officer, certified by the governor, pursuant to federal
1 14 requirements. The recommendations and decisions of the
1 15 state historic preservation officer shall be subject to
1 16 the review and approval of the director.
1 17 Sec. 2. NEW SECTION. 303.19A Effort required of
1 18 rural electric cooperatives receiving federal funding to
1 19 identify historic properties.
1 20 1. The state historic preservation officer shall
1 21 only recommend that a rural electric cooperative
1 22 constructing electric distribution and transmission
1 23 facilities for which it is receiving federal funding
1 24 conduct an archeological site survey of its proposed
1 25 route when, based upon a review of existing information
1 26 on historic properties within the area of potential
1 27 effects of the construction, the state historic
1 28 preservation officer has determined that a historic
1 29 property, as defined by the federal National Historic
1 30 Preservation Act of 1966, as amended, is likely to
1 31 exist within the proposed route.
1 32 2. The state historic preservation officer shall
1 33 not require a level of archeological identification
1 34 effort which is greater than the reasonable and good
1 35 faith effort required by the federal agency. Such
1 36 effort shall reflect the public interest and shall take
1 37 into account the likelihood and magnitude of potential
1 38 impacts to historic properties and project costs.
1 39 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
1 40 deemed of immediate importance, takes effect upon
1 41 enactment.>
1 42 #2. Title page, line 1, after <to> by inserting
1 43 <the historical division of the department of cultural
1 44 affairs, including>
1 45 #3. Title page, line 2, after <cooperatives> by
1 46 inserting <and including effective date provisions>



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Senate Amendment 3113

PAG LIN

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1 1      Amend Senate File 456 as follows:
1 2 #1.  Page 3, line 1, by striking <January 1, 2011>
1 3 and inserting <the effective date of this Act>
1 4 #2.  Page 3, by striking lines 7 and 8 and inserting
1 5 <system database, as soon as practical, but not later
1 6 than December 31, 2011.  Within five days>
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ROBERT E. DVORSKY
SF456.1565 (1) 84
rh/rj



Iowa General Assembly
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Senate File 503 - Introduced

SENATE FILE
BY HOGG

A BILL FOR

1 An Act providing an additional renewable energy tax credit.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
 TLSB 2500XS (5) 84
 rn/sc



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Senate File 503 - Introduced continued

PAG LIN

1 1 Section 1. Section 476C.2, Code 2011, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 1A. In addition to the energy tax credits
1 4 provided pursuant to subsection 1, a producer or purchaser of
1 5 renewable energy may receive additional renewable energy tax
1 6 credits in amounts and pursuant to a timetable as follows:
1 7 a. A one cent per kilowatt=hour production tax credit for
1 8 up to four hundred megawatts of electricity for wind energy
1 9 conversion facilities installed on or before December 31, 2014,
1 10 and for up to one hundred megawatts of additional capacity
1 11 installed each year beginning January 1, 2015, through December
1 12 31, 2020.
1 13 b. (1) A one and one=half cent per kilowatt=hour production
1 14 tax credit for up to two hundred fifty megawatts of electricity
1 15 generated by a biomass conversion facility, a solar energy
1 16 conversion facility, or a refuse conversion facility installed
1 17 on or before December 31, 2015, and for up to fifty megawatts
1 18 of additional capacity installed each year beginning January 1,
1 19 2016, through December 31, 2020.
1 20 (2) A four dollar and fifty cent per million British thermal
1 21 unit tax credit for the energy production capacity equivalent
1 22 of two hundred fifty megawatts of methane gas or other biogas
1 23 used to generate electricity and installed on or before
1 24 December 31, 2015, and for up to the energy production capacity
1 25 equivalent of fifty megawatts of additional capacity installed
1 26 each year beginning January 1, 2016, through December 31, 2020.
1 27 (3) For a producer or purchaser of renewable energy
1 28 specified in subparagraphs (1) or (2), a twenty=five percent
1 29 tax credit for the reasonable costs of construction of an
1 30 eligible renewable energy facility, as determined by the board
1 31 by rule.

1 32 EXPLANATION

1 33 This bill increases tax credits available to renewable
1 34 energy producers or purchasers pursuant to Code chapter 476C.
1 35 The bill provides for an additional one cent per



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Senate File 503 - Introduced continued

2 1 kilowatt=hour production tax credit for up to 400 megawatts of
2 2 electricity for wind energy conversion facilities installed on
2 3 or before December 31, 2014, and for up to 100 megawatts of
2 4 additional capacity installed each year beginning January 1,
2 5 2015, and ending December 31, 2020. The bill also provides for
2 6 a one and one-half cent per kilowatt=hour production tax credit
2 7 for up to 250 megawatts of electricity generated by a biomass
2 8 conversion facility, a solar energy conversion facility, or
2 9 a refuse conversion facility installed on or before December
2 10 31, 2015, and for up to 50 megawatts of additional capacity
2 11 installed each year beginning January 1, 2016, through December
2 12 31, 2020.
2 13 The bill additionally provides for a \$4.50 per million
2 14 British thermal unit tax credit for up to the energy production
2 15 capacity equivalent of 250 megawatts of methane gas or other
2 16 biogas used to generate electricity installed on or before
2 17 December 31, 2015, and for up to the energy production capacity
2 18 equivalent of 50 megawatts of additional capacity installed
2 19 each year beginning January 1, 2016, through December 31, 2020.
2 20 The bill further provides that a producer or purchaser of
2 21 renewable energy may receive a 25 percent tax credit for the
2 22 reasonable costs of construction of an eligible renewable
2 23 energy facility, as determined by the Iowa utilities board by
2 24 rule.

LSB 2500XS (5) 84

rn/sc



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Senate File 504 - Introduced

SENATE FILE
BY FEENSTRA

A BILL FOR

1 An Act relating to state and local taxes, by establishing
2 tax credits for commercial property taxes paid, amending
3 provisions relating to property assessment limitations, and
4 including applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1808XS (5) 84
md/sc



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1 1 Section 1. NEW SECTION. 422.11Y Commercial property tax
1 2 credit.
1 3 1. The taxes imposed under this division, less the credits
1 4 allowed under section 422.12, shall be reduced by a commercial
1 5 property tax credit. An owner of real property assessed as
1 6 commercial property located in the state is eligible to receive
1 7 a tax credit equal to three percent of the total amount of
1 8 property taxes paid by the owner during the tax year on all
1 9 such commercial property owned by the person within the state.
1 10 2. For purposes of this section, an individual may claim
1 11 a commercial property tax credit incurred by a partnership,
1 12 S corporation, limited liability company, estate, or trust
1 13 electing to have the income taxed directly to the individual.
1 14 The amount claimed by the individual shall be based upon the
1 15 pro rata share of the individual's earnings of a partnership, S
1 16 corporation, limited liability company, estate, or trust.
1 17 3. Any credit in excess of the tax liability imposed by
1 18 section 422.5 less the amounts of nonrefundable credits allowed
1 19 under this division for the taxable year shall be refunded with
1 20 interest computed under section 422.25. In lieu of claiming
1 21 a refund, a taxpayer may elect to have the overpayment shown
1 22 on the taxpayer's final, completed return credited to the tax
1 23 liability for the following taxable year.
1 24 Sec. 2. Section 422.33, Code 2011, is amended by adding the
1 25 following new subsection:
1 26 NEW SUBSECTION. 29. The taxes imposed under this division
1 27 shall be reduced by a commercial property tax credit. A
1 28 corporation that owns real property assessed as commercial
1 29 property located in the state is eligible to receive a tax
1 30 credit equal to three percent of the total amount of property
1 31 taxes paid during the tax year on all such commercial property
1 32 owned by the corporation within the state. Any credit in
1 33 excess of the tax liability for the taxable year shall be
1 34 refunded with interest computed under section 422.25. In
1 35 lieu of claiming a refund, a taxpayer may elect to have the



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2 1 overpayment shown on the taxpayer's final, completed return
2 2 credited to the tax liability for the following taxable year.
2 3 Sec. 3. Section 422.60, Code 2011, is amended by adding the
2 4 following new subsection:
2 5 NEW SUBSECTION. 13. The taxes imposed under this division
2 6 shall be reduced by a commercial property tax credit in the
2 7 same manner, for the same amount, and under the same conditions
2 8 as provided in section 422.11Y.
2 9 Sec. 4. NEW SECTION. 432.12M Commercial property tax
2 10 credit.
2 11 The taxes imposed under this chapter shall be reduced by a
2 12 commercial property tax credit in the same manner, for the same
2 13 amount, and under the same conditions as provided in section
2 14 422.11Y.
2 15 Sec. 5. Section 441.21, subsection 5, Code 2011, is amended
2 16 to read as follows:
2 17 5. For valuations established as of January 1, 1979,
2 18 commercial property and industrial property, excluding
2 19 properties referred to in section 427A.1, subsection 8, shall
2 20 be assessed as a percentage of the actual value of each class
2 21 of property. The percentage shall be determined for each
2 22 class of property by the director of revenue for the state in
2 23 accordance with the provisions of this section. For valuations
2 24 established as of January 1, 1979, the percentage shall be
2 25 the quotient of the dividend and divisor as defined in this
2 26 section. The dividend for each class of property shall be the
2 27 total actual valuation for each class of property established
2 28 for 1978, plus six percent of the amount so determined. The
2 29 divisor for each class of property shall be the valuation
2 30 for each class of property established for 1978, as reported
2 31 by the assessors on the abstracts of assessment for 1978,
2 32 plus the amount of value added to the total actual value by
2 33 the revaluation of existing properties in 1979 as equalized
2 34 by the director of revenue pursuant to section 441.49. For
2 35 valuations established as of January 1, 1979, property valued



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3 1 by the department of revenue pursuant to chapters 428, 433,
3 2 437, and 438 shall be considered as one class of property and
3 3 shall be assessed as a percentage of its actual value. The
3 4 percentage shall be determined by the director of revenue in
3 5 accordance with the provisions of this section. For valuations
3 6 established as of January 1, 1979, the percentage shall be
3 7 the quotient of the dividend and divisor as defined in this
3 8 section. The dividend shall be the total actual valuation
3 9 established for 1978 by the department of revenue, plus ten
3 10 percent of the amount so determined. The divisor for property
3 11 valued by the department of revenue pursuant to chapters 428,
3 12 433, 437, and 438 shall be the valuation established for 1978,
3 13 plus the amount of value added to the total actual value by
3 14 the revaluation of the property by the department of revenue
3 15 as of January 1, 1979. For valuations established as of
3 16 January 1, 1980, commercial property and industrial property,
3 17 excluding properties referred to in section 427A.1, subsection
3 18 8, shall be assessed at a percentage of the actual value of
3 19 each class of property. The percentage shall be determined
3 20 for each class of property by the director of revenue for the
3 21 state in accordance with the provisions of this section. For
3 22 valuations established as of January 1, 1980, the percentage
3 23 shall be the quotient of the dividend and divisor as defined in
3 24 this section. The dividend for each class of property shall
3 25 be the dividend as determined for each class of property for
3 26 valuations established as of January 1, 1979, adjusted by the
3 27 product obtained by multiplying the percentage determined
3 28 for that year by the amount of any additions or deletions to
3 29 actual value, excluding those resulting from the revaluation
3 30 of existing properties, as reported by the assessors on the
3 31 abstracts of assessment for 1979, plus four percent of the
3 32 amount so determined. The divisor for each class of property
3 33 shall be the total actual value of all such property in 1979,
3 34 as equalized by the director of revenue pursuant to section
3 35 441.49, plus the amount of value added to the total actual



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4 1 value by the revaluation of existing properties in 1980. The
4 2 director shall utilize information reported on the abstracts of
4 3 assessment submitted pursuant to section 441.45 in determining
4 4 such percentage. For valuations established as of January 1,
4 5 1980, property valued by the department of revenue pursuant
4 6 to chapters 428, 433, 437, and 438 shall be assessed at a
4 7 percentage of its actual value. The percentage shall be
4 8 determined by the director of revenue in accordance with the
4 9 provisions of this section. For valuations established as of
4 10 January 1, 1980, the percentage shall be the quotient of the
4 11 dividend and divisor as defined in this section. The dividend
4 12 shall be the total actual valuation established for 1979 by
4 13 the department of revenue, plus eight percent of the amount so
4 14 determined. The divisor for property valued by the department
4 15 of revenue pursuant to chapters 428, 433, 437, and 438 shall
4 16 be the valuation established for 1979, plus the amount of
4 17 value added to the total actual value by the revaluation of
4 18 the property by the department of revenue as of January 1,
4 19 1980. For valuations established as of January 1, 1981,
4 20 and each year thereafter, the percentage of actual value as
4 21 equalized by the director of revenue as provided in section
4 22 441.49 at which commercial property and industrial property,
4 23 excluding properties referred to in section 427A.1, subsection
4 24 8, shall be assessed shall be calculated in accordance with
4 25 the methods provided ~~herein~~ in this subsection, except that
4 26 any references to six percent in this subsection shall be four
4 27 percent. For valuations established for the assessment year
4 28 beginning January 1, 2012, and each assessment year thereafter,
4 29 the percentage of actual value as equalized by the director
4 30 of revenue as provided in section 441.49 at which commercial
4 31 property, excluding properties referred to in section 427A.1,
4 32 subsection 8, shall be assessed shall be calculated in
4 33 accordance with the methods provided in this subsection, except
4 34 that in no assessment year shall the percentage of actual value
4 35 exceed ninety-seven percent. For valuations established as



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5 1 of January 1, 1981, and each year thereafter, the percentage
5 2 of actual value at which property valued by the department of
5 3 revenue pursuant to chapters 428, 433, 437, and 438 shall be
5 4 assessed shall be calculated in accordance with the methods
5 5 provided herein, except that any references to ten percent
5 6 in this subsection shall be eight percent. Beginning with
5 7 valuations established as of January 1, 1979, and each year
5 8 thereafter, property valued by the department of revenue
5 9 pursuant to chapter 434 shall also be assessed at a percentage
5 10 of its actual value which percentage shall be equal to the
5 11 percentage determined by the director of revenue for commercial
5 12 property, industrial property, or property valued by the
5 13 department of revenue pursuant to chapters 428, 433, 437, and
5 14 438, whichever is lowest.

5 15 Sec. 6. Section 533.329, subsection 2, Code 2011, is amended
5 16 by adding the following new paragraph:

5 17 NEW PARAGRAPH. 1. The moneys and credits tax imposed under
5 18 this section shall be reduced by a commercial property tax
5 19 credit in the same manner, for the same amount, and under the
5 20 same conditions as provided in section 422.11Y.

5 21 Sec. 7. APPLICABILITY. The sections of this Act enacting
5 22 section 422.11Y, section 422.33, subsection 29, section 422.60,
5 23 subsection 13, section 432.12M, and section 533.329, subsection
5 24 2, paragraph "1", apply to tax years beginning on or after
5 25 January 1, 2012.

5 26 EXPLANATION

5 27 This bill establishes an individual income tax credit for
5 28 persons who own and pay property taxes on commercial property
5 29 located in the state. Each person is eligible to receive an
5 30 income tax credit equal to 3 percent of the total amount of
5 31 property taxes paid by the person during the tax year on all
5 32 commercial property owned by the person within the state. The
5 33 tax credit is refundable.

5 34 The bill establishes a corporate income tax credit for
5 35 corporations that own and pay property taxes on commercial



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6 1 property located in the state. Each corporation that owns
6 2 and pays property taxes on commercial property located in
6 3 the state is eligible to receive a tax credit equal to three
6 4 percent of the total amount of property taxes paid during the
6 5 tax year on all commercial property owned by the corporation
6 6 within the state. Any credit in excess of the tax liability is
6 7 refundable.
6 8 The bill also provides a commercial property credit against
6 9 the franchise tax under Code section 422.60, a credit against
6 10 the insurance premiums tax under Code chapter 432, and a credit
6 11 against the money and credits tax under Code section 533.329.
6 12 Such credits are for the same amount and are administered in
6 13 the same manner as the individual income tax credit created in
6 14 the bill.
6 15 The bill provides that for valuations established for
6 16 the assessment years beginning on or after January 1, 2012,
6 17 the percentage of actual value at which commercial property,
6 18 excluding properties referred to in Code section 427A.1(8),
6 19 shall be assessed shall be calculated in accordance with
6 20 the methods for previous assessments years, except that the
6 21 percentage of actual value at which commercial property is
6 22 assessed shall not exceed 97 percent.
6 23 The sections of the bill enacting new Code sections 422.11Y
6 24 and 432.12M, Code section 422.33, new subsection 29, Code
6 25 section 422.60, new subsection 13, and Code section 533.329,
6 26 subsection 2, new paragraph "1", apply to tax years beginning
6 27 on or after January 1, 2012.

LSB 1808XS (5) 84

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Senate File 505 - Introduced

SENATE FILE
BY FEENSTRA

A BILL FOR

1 An Act relating to assessment of property for property tax
2 purposes, property assessment protests, powers of the
3 property assessment appeal board, funding of the property
4 assessment appeal board, and including applicability
5 provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1893XS (6) 84
md/sc



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1 1 Section 1. Section 441.21, subsection 1, paragraph a, Code
1 2 2011, is amended to read as follows:

1 3 a. Except as provided in section 405.1, property subject to
1 4 taxation shall be classified on January 1 of each assessment
1 5 year according to its primary use on January 1 and not its
1 6 highest and best use. There shall be only one classification
1 7 per parcel of property. The land and the buildings on the land
1 8 shall be considered separate properties if owned by different
1 9 persons. An assessor shall not classify the land differently
1 10 than a building located on the land unless the building and the
1 11 land are owned by different persons or the property consists
1 12 of an agricultural dwelling located on agricultural land.
1 13 Land shall be classified as agricultural property if used in
1 14 good faith primarily for agricultural purposes. All property
1 15 subject to taxation shall be valued based on its classification
1 16 and present primary use at its actual value which shall be
1 17 entered opposite each item, and, except as otherwise provided
1 18 in this section, shall be assessed at one hundred percent of
1 19 its actual value, and the value so assessed shall be taken
1 20 and considered as the assessed value and taxable value of the
1 21 property upon which the levy shall be made.

1 22 Sec. 2. Section 441.21, subsection 1, paragraph b,
1 23 unnumbered paragraph 1, Code 2011, is amended to read as
1 24 follows:

1 25 The actual value of all property subject to assessment and
1 26 taxation shall be the fair and reasonable market value of
1 27 such property except as otherwise provided in this section.
1 28 "Market value" is defined as the fair and reasonable exchange
1 29 in the year in which the property is listed and valued between
1 30 a willing buyer and a willing seller, neither being under any
1 31 compulsion to buy or sell and each being familiar with all the
1 32 facts relating to the particular property. Sale prices of the
1 33 property or comparable property having the same classification
1 34 in normal transactions reflecting market value, and the
1 35 probable availability or unavailability of persons interested



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Senate File 505 - Introduced continued

2 1 in purchasing the property, shall be taken into consideration
2 2 in arriving at its market value. In arriving at market value,
2 3 sale prices of property in abnormal transactions not reflecting
2 4 market value shall not be taken into account, or shall be
2 5 adjusted to eliminate the effect of factors which distort
2 6 market value, including but not limited to sales to immediate
2 7 family of the seller, foreclosure or other forced sales,
2 8 contract sales, discounted purchase transactions or purchase of
2 9 adjoining land or other land to be operated as a unit.
2 10 Sec. 3. Section 441.26, unnumbered paragraph 1, Code 2011,
2 11 is amended to read as follows:
2 12 The director of revenue shall each year prescribe the form
2 13 of assessment roll to be used by all assessors in assessing
2 14 property, in this state, also the form of pages of the
2 15 assessor's assessment book. The assessment rolls shall be
2 16 in a form that will permit entering, separately, the names
2 17 of all persons assessed, and shall also contain a notice in
2 18 substantially the following form:
2 19 If you are not satisfied that the foregoing assessment is
2 20 correct, you may file a protest against such assessment with
2 21 the board of review on or after April 16, to and including May 5
~~2 22~~ 20, of the year of the assessment, such protest to be confined
2 23 to the grounds specified in section 441.37.
2 24 Dated: .. day of ... (month), .. (year)
2 25
2 26 County/City Assessor.
2 27 Sec. 4. Section 441.37, subsection 1, Code 2011, is amended
2 28 to read as follows:
2 29 1. Any property owner or aggrieved taxpayer who is
2 30 dissatisfied with the owner's or taxpayer's assessment may file
2 31 a protest against such assessment with the board of review
2 32 on or after April 16, to and including May 5 20, of the year
2 33 of the assessment. In any county which has been declared to
2 34 be a disaster area by proper federal authorities after March
2 35 1 and prior to ~~May 20~~ June 5 of said year of assessment, the



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3 1 board of review shall be authorized to remain in session until
3 2 June ~~15~~ 30 and the time for filing a protest shall be extended
3 3 to and include the period from ~~May 25~~ June 10 to June ~~5~~ 20 of
3 4 such year. ~~Said~~ The protest shall be in writing and signed
3 5 by the one protesting or by the protester's duly authorized
3 6 agent. The taxpayer may have an oral hearing ~~thereon~~ on the
3 7 protest if request therefor request for the oral hearing is
3 8 made in writing ~~is made~~ at the time of filing the protest. ~~Said~~
~~3 9~~ The protest must be confined to one or more of the following
3 10 grounds:
3 11 a. ~~That said assessment is not equitable as compared with~~
~~3 12 assessments of other like property in the taxing district.~~
~~3 13 When this ground is relied upon as the basis of a protest the~~
~~3 14 legal description and assessments of a representative number of~~
~~3 15 comparable properties, as described by the aggrieved taxpayer~~
~~3 16 shall be listed on the protest, otherwise said protest shall~~
~~3 17 not be considered on this ground. For odd-numbered assessment~~
3 18 years and even-numbered assessment years for properties having
3 19 a change in actual value from the previous assessment year:
3 20 ~~b.~~ (1) That the property is assessed for more than the
3 21 value authorized by law, ~~stating~~. When this ground is relied
3 22 upon, the specific amount which the protesting party believes
3 23 the property to be overassessed, and the amount which the party
3 24 considers to be its actual value and ~~the amount the party~~
~~3 25 considers a fair assessment shall be stated.~~
3 26 ~~e.~~ (2) That the property is not assessable, is exempt from
3 27 taxes, or is misclassified and stating the reasons for the
3 28 protest.
3 29 ~~d.~~ (3) That there is an error in the assessment and state
3 30 the specific alleged error. When this ground is relied upon,
3 31 it may include but is not limited to listing errors, including
3 32 clerical or mathematical errors, listing claims of inequity in
3 33 the assessment, or listing any ground under this paragraph "a"
3 34 that results in an error in the assessment.
3 35 ~~e.~~ (4) That there is fraud in the assessment which shall



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4 1 be specifically stated.

4 2 ~~In addition to the above, the property owner may protest~~
~~4 3 annually to the board of review under the provisions of section~~
~~4 4 441.35, but such protest shall be in the same manner and upon~~
~~4 5 the same terms as heretofore prescribed in this section.~~

4 6 ~~The property owner or aggrieved taxpayer may combine on one~~
~~4 7 form protests of assessment on parcels separately assessed if~~
~~4 8 the same grounds are relied upon as the basis for protesting~~
~~4 9 each separate assessment. If an oral hearing is requested~~
~~4 10 on more than one of such protests, the person making the~~
~~4 11 combined protests may request that the oral hearings be held~~
~~4 12 consecutively.~~

4 13 b. For even-numbered assessment years for properties
4 14 having no change in assessment from the previous assessment
4 15 year, that there has been a decrease in actual value from the
4 16 previous assessment year. When this ground is relied upon,
4 17 the protesting party shall provide specific evidence that the
4 18 market value of the property is less than the assessed value.
4 19 Such protest shall be made under the provisions of section
4 20 441.35, but in the same manner and upon the same terms as
4 21 described in this section.

4 22 Sec. 5. Section 441.37, Code 2011, is amended by adding the
4 23 following new subsection:

4 24 NEW SUBSECTION. 1A. The property owner or aggrieved
4 25 taxpayer may combine on one form protests of assessment on
4 26 parcels separately assessed if the same grounds are relied upon
4 27 as the basis for protesting each separate assessment. If an
4 28 oral hearing is requested on more than one of such protests,
4 29 the person making the combined protests may request that the
4 30 oral hearings be held consecutively.

4 31 Sec. 6. Section 441.37, Code 2011, is amended by adding the
4 32 following new subsection:

4 33 NEW SUBSECTION. 4. The property assessment appeal board
4 34 shall adopt rules pursuant to chapter 17A to implement the
4 35 provisions of this section relating to protests of assessment.



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Senate File 505 - Introduced continued

5 1 Sec. 7. Section 441.73, Code 2011, is amended by adding the
5 2 following new subsection:

5 3 NEW SUBSECTION. 5. For purposes of this section,
5 4 "litigation expenses" includes the operational costs of the
5 5 property assessment appeal board created in section 421.1A.
5 6 Sec. 8. APPLICABILITY. The sections of this Act amending
5 7 sections 441.21 and 441.37 apply to property tax assessment
5 8 years beginning on or after January 1, 2012.

EXPLANATION

5 10 This bill specifies that except for certain housing
5 11 development property, all property subject to taxation shall
5 12 be classified on January 1 of each assessment year according
5 13 to its primary use on January 1 and not its highest and best
5 14 use. The bill also specifies that there shall be only one
5 15 classification per property. The bill provides that land
5 16 and the buildings on the land shall be considered separate
5 17 properties if owned by different persons. Under the bill,
5 18 an assessor shall not classify the land differently than a
5 19 building located on the land unless the building and the land
5 20 are owned by different persons or the property consists of an
5 21 agricultural dwelling located on agricultural land. The bill
5 22 specifies that land is classified as agricultural property if
5 23 used in good faith primarily for agricultural purposes. The
5 24 bill specifies that when determining market value of a property
5 25 using sales of comparable properties, only properties with the
5 26 same property tax classification may be used.

5 27 The bill amends several of the dates relating to the protest
5 28 period for the local board of review under Code section
5 29 441.37, including the dates for filing a protest. The bill
5 30 also amends provisions relating to the grounds upon which a
5 31 property assessment protest may be brought. The bill strikes
5 32 a provision that allows a protest on the ground that the
5 33 assessment is not equitable as compared with assessments of
5 34 other like property in the taxing district. The bill specifies
5 35 that for odd-numbered assessment years and even-numbered



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6 1 assessment years for properties having a different assessment
6 2 from the previous assessment year protests may only be brought
6 3 by asserting that the assessment is more than the value
6 4 authorized by law, that the property is not assessable, is
6 5 exempt from taxes, or is misclassified, that there is an error
6 6 in the assessment, or that there is fraud in the assessment. A
6 7 protest on the ground that there is an error in the assessment
6 8 may include but is not limited to listing errors, including
6 9 clerical or mathematical errors, claims of inequity in the
6 10 assessment, or any other specified ground that results in an
6 11 error in the assessment.

6 12 For even=numbered assessment years for properties having
6 13 no change in assessment from the previous assessment year,
6 14 a protest under the bill is only allowed on the ground that
6 15 there has been a decrease in actual value from the previous
6 16 assessment year. The bill requires such a protest in the
6 17 even=numbered year to be made under the provisions of Code
6 18 section 441.35, but in the same manner and upon the same terms
6 19 as described in Code section 441.37.

6 20 The bill requires the property assessment appeal board
6 21 to adopt rules pursuant to Code chapter 17A to implement the
6 22 provisions of Code section 441.37 relating to protests of
6 23 assessment.

6 24 The bill specifies that the operational costs of the
6 25 property assessment appeal board are litigation expenses for
6 26 purposes of Code section 441.73, and that such costs shall be
6 27 paid from the litigation expense fund under the control of the
6 28 department of revenue.

6 29 The bill, except the section of the bill amending Code
6 30 section 441.73, applies to property tax assessment years
6 31 beginning on or after January 1, 2012.

LSB 1893XS (6) 84

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Senate File 506 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO SF 248)

A BILL FOR

1 An Act providing for a small employer health insurance tax
2 credit as a percentage of the federal credit and including
3 retroactive applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1899SV (3) 84
tw/sc



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1 1 Section 1. NEW SECTION. 422.12A Small employer health
1 2 insurance tax credit.
1 3 1. The taxes imposed under this division, less the credits
1 4 allowed under section 422.12, shall be reduced by a small
1 5 employer health insurance tax credit equal to twenty-five
1 6 percent of the federal small employer health insurance tax
1 7 credit provided in section 45R of the Internal Revenue Code.
1 8 The tax credit provided in this section is available to
1 9 eligible small employers.
1 10 2. An individual may claim the tax credit allowed to a
1 11 partnership, limited liability company, S corporation, estate,
1 12 or trust that elects to have the income taxed directly to the
1 13 individual. The amount claimed by the individual shall be
1 14 based upon the pro rata share of the individual's earnings of
1 15 the partnership, limited liability company, S corporation,
1 16 estate, or trust.
1 17 3. Any credit in excess of the tax liability is refundable.
1 18 In lieu of claiming a refund, the taxpayer may elect to have
1 19 the excess shown on the taxpayer's final, completed return
1 20 credited to the tax liability for the following tax year.
1 21 4. For purposes of this section, "eligible small employer"
1 22 means a taxpayer who has ten or fewer full-time employees and
1 23 who otherwise meets the requirements of the small employer
1 24 health insurance tax credit allowed under section 45R of the
1 25 Internal Revenue Code.
1 26 Sec. 2. Section 422.33, Code 2011, is amended by adding the
1 27 following new subsection:
1 28 NEW SUBSECTION. 13. The taxes imposed under this division
1 29 shall be reduced by a small employer health insurance tax
1 30 credit authorized pursuant to section 422.12A.
1 31 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies
1 32 retroactively to January 1, 2011, for tax years beginning on
1 33 or after that date.

1 34 EXPLANATION
1 35 The federal Patient Protection and Affordable Care Act (Pub.



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Senate File 506 - Introduced continued

2 1 L. No. 111=148) provided for a small employer health insurance
2 2 income tax credit of up to 50 percent for eligible small
2 3 employers. This bill provides for a credit against Iowa income
2 4 tax liability in an amount equal to 25 percent of the federal
2 5 credit for employers with 10 or fewer full-time employees. The
2 6 tax credit is refundable or may be carried forward to the next
2 7 tax year and is available against the individual and corporate
2 8 income taxes.

2 9 The bill applies retroactively to January 1, 2011, for tax
2 10 years beginning on or after that date.

LSB 1899SV (3) 84

tw/sc



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Senate Study Bill 1195

SENATE FILE

BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act relating to certain fees collected by the county
2 sheriff.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2713XC (2) 84
aw/sc



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Senate Study Bill 1195 continued

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1 1 Section 1. Section 331.655, subsection 1, paragraphs a, b,
1 2 c, e, f, g, h, k, l, and n, Code 2011, are amended to read as
1 3 follows:
1 4 a. For serving a notice and returning it, for the first
1 5 person served, ~~fifteen~~ twenty=five dollars, and each additional
1 6 person, ~~fifteen~~ twenty=five dollars except the fee for serving
1 7 additional persons in the same household shall be ~~ten~~ fifteen
1 8 dollars for each additional service, or if the service of
1 9 notice cannot be made or several attempts are necessary, the
1 10 repayment of all necessary expenses actually incurred by the
1 11 sheriff while attempting in good faith to serve the notice.
1 12 b. For each warrant served, ~~twenty~~ twenty=five dollars,
1 13 and the repayment of necessary expenses incurred in executing
1 14 the warrant, as sworn to by the sheriff, or if service of the
1 15 warrant cannot be made, the repayment of all necessary expenses
1 16 actually incurred by the sheriff while attempting in good faith
1 17 to serve the warrant.
1 18 c. For serving and returning a subpoena, for each person
1 19 served, ~~twenty~~ thirty dollars, and the necessary expenses
1 20 incurred while serving subpoenas in criminal cases or cases
1 21 relating to hospitalization of persons with mental illness.
1 22 e. For summoning a jury to assess the damages to the owners
1 23 of lands taken for works of internal improvement, one hundred
1 24 dollars, and attending them, one hundred dollars per day, and
1 25 necessary expenses incurred. This subsection does not allow
1 26 a sheriff to make separate charges for different assessments
1 27 which can be made by the same jury and completed in one day of
1 28 ten hours.
1 29 f. For serving an execution, attachment, order for the
1 30 delivery of personal property, injunction, or any order of
1 31 court, and returning it, ~~fifteen~~ twenty=five dollars.
1 32 g. For making and executing a certificate or deed for lands
1 33 sold on execution, or a bill of sale for personal property
1 34 sold, ~~thirty~~ forty dollars.
1 35 h. For the time necessarily employed in making an inventory



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Senate Study Bill 1195 continued

2 1 of personal property attached or levied upon, ~~ten~~ fifteen
2 2 dollars per hour.

2 3 k. For ~~attending~~ setting a sale of property, fifty dollars.

2 4 l. For conveying one or more persons to a state, county, or
2 5 private institution by order of court or commission, necessary
2 6 expenses for the sheriff and the person conveyed and ~~fifteen~~

~~2 7~~ twenty=five dollars per hour for the time necessarily employed
2 8 in going to and from the institution, the expenses and hourly
2 9 rate to be charged and accounted for as fees. If the sheriff
2 10 needs assistance in taking a person to an institution, the
2 11 assistance shall be furnished at the expense of the county.

2 12 n. For posting a notice or advertisement, ~~five~~ ten dollars.

2 13 Sec. 2. Section 331.655, subsection 1, Code 2011, is amended
2 14 by adding the following new paragraphs:

2 15 NEW PARAGRAPH. p. For the necessary time employed in
2 16 attending the service of a writ, twenty=five dollars per hour.

2 17 NEW PARAGRAPH. q. For electronic submissions to the clerk
2 18 of court, twenty dollars per electronic file submitted.

2 19 EXPLANATION

2 20 This bill relates to certain fees collected by the county
2 21 sheriff.

2 22 The bill raises fees for the serving and returning of
2 23 notice for each person from \$15 to \$25, and a fee for serving
2 24 additional persons in the same household is raised from \$10
2 25 to \$15. The bill raises the fee for warrants served from \$20
2 26 to \$25. The bill raises the fee for each person served a
2 27 subpoena from \$20 to \$30. The bill creates a separate fee for
2 28 summoning a jury (compensation commission) to assess damages in
2 29 a condemnation proceeding and sets the fee at \$100. The bill
2 30 also states that the sheriff will charge a fee of \$100 per day
2 31 for attending the jury (compensation commission).

2 32 The bill raises the fee for serving an execution,
2 33 attachment, order for delivery of personal property, injunction
2 34 or any other order of court from \$15 to \$25. The bill also
2 35 raises the fee for execution of a certificate or deed for lands



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Senate Study Bill 1195 continued

3 1 sold from \$30 to \$40. The bill raises the fee charged for the
3 2 time necessary to inventory personal property from \$10 to \$15
3 3 per hour. The bill provides that the current \$50 fee regarding
3 4 a sale of property is for setting, rather than attending, the
3 5 sale.

3 6 The bill raises the hourly fee charged for the conveyance
3 7 of certain persons by order of a court or commission to
3 8 a public or private institution from \$15 to \$25 per hour.
3 9 This hourly fee change shall also apply to fees charged for
3 10 delivering defendants under changes of venue provisions or the
3 11 transferring of arrested persons pursuant to the provisions of
3 12 Code section 815.8. The bill also raises the fee for posting a
3 13 notice or advertisement from \$5 to \$10.

3 14 The bill creates a fee of \$25 per hour for the necessary
3 15 time employed to attend the service of a writ. The bill also
3 16 creates a fee for electronic submissions to the clerk of court.
3 17 The bill sets the fee at \$20 per electronic file submitted.

LSB 2713XC (2) 84

aw/sc



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Senate Study Bill 1196

SENATE FILE

BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act providing income tax credits for the construction
2 and installation of solar energy systems and wind energy
3 systems, and including effective date and retroactive
4 applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSE 2732XC (2) 84
rn/rj



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Senate Study Bill 1196 continued

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1 1 Section 1. NEW SECTION. 422.11Y Energy system tax credits.
1 2 The taxes imposed under this division, less the credits
1 3 allowed under sections 422.12 and 422.12B, shall be reduced by
1 4 a solar energy system tax credit and a wind energy system tax
1 5 credit under section 473B.2.

1 6 Sec. 2. Section 422.33, Code 2011, is amended by adding the
1 7 following new subsection:

1 8 NEW SUBSECTION. 29. The taxes imposed under this division
1 9 shall be reduced by a solar energy system tax credit and a wind
1 10 energy system tax credit under section 473B.2.

1 11 Sec. 3. NEW SECTION. 473B.1 Definitions.

1 12 As used in this chapter, unless the context otherwise
1 13 requires:

1 14 1. "Allowable costs" means amounts incurred in the
1 15 construction or installation of a solar energy system or a wind
1 16 energy system which are determined by the department by rule to
1 17 qualify for the tax credit issued pursuant to section 473B.2.

1 18 2. "Department" means the department of revenue.

1 19 3. "Solar energy system" means a solar energy facility which
1 20 collects and converts incident solar radiation into energy to
1 21 generate electricity.

1 22 4. "Wind energy system" means a wind energy conversion
1 23 system that collects and converts wind into energy to generate
1 24 electricity, with a nameplate generating capacity of less than
1 25 or equal to twenty megawatts.

1 26 Sec. 4. NEW SECTION. 473B.2 Tax credits.

1 27 1. A solar energy system tax credit or a wind energy system
1 28 tax credit shall be issued for the allowable costs incurred in
1 29 the construction or installation of a solar energy system or
1 30 a wind energy system equal to thirty percent of the cost of
1 31 the construction or installation, subject to a maximum credit
1 32 of fifteen thousand dollars for commercial or agricultural
1 33 construction or installation, or three thousand dollars for
1 34 residential construction or installation. The credits shall
1 35 be refundable.



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2 1 2. For purposes of this section, "residential" means a
2 2 primary or vacation residence, and excludes rental property.
2 3 Sec. 5. NEW SECTION. 473B.3 Tax credit certificate ====
2 4 application and issuance.
2 5 1. a. To receive a tax credit as described in section
2 6 473B.2, a taxpayer shall file an application with the
2 7 department, the form and content of which shall be determined
2 8 by the department by rule. If upon receipt of a completed
2 9 application, the department finds that the person is qualified
2 10 for a solar energy system tax credit or a wind energy system
2 11 tax credit, the department shall calculate the amount of the
2 12 tax credit for which the person is eligible and shall issue
2 13 the applicable tax credit certificate to the person or notify
2 14 the person in writing of its refusal to do so. The tax credit
2 15 certificate may be applied against tax owned pursuant to
2 16 chapter 422, division II and III for the year in which the
2 17 allowable costs were incurred.
2 18 b. At a minimum, qualification criteria for issuance of
2 19 a certificate pursuant to paragraph "a" shall include the
2 20 following:
2 21 (1) An applicant shall complete and submit an energy audit
2 22 conducted either by or on behalf of the applicant's electric
2 23 utility or through a private energy audit service.
2 24 (2) The solar energy system or wind energy system must
2 25 qualify for the energy star efficiency rating developed by the
2 26 United States environmental protection agency, or a similar
2 27 certification program or status designated by the department
2 28 by rule.
2 29 (3) The installation must be performed by a licensed or
2 30 certified installer qualified to install solar energy systems
2 31 or wind energy systems and related equipment, and must meet or
2 32 exceed all requirements of applicable local building codes and
2 33 ordinances.
2 34 2. A person whose application for a solar energy system
2 35 tax credit certificate or a wind energy system tax credit



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3 1 certificate is denied may file an appeal with the department
3 2 within sixty days from the date of denial pursuant to the
3 3 provisions of chapter 17A.
3 4 3. If a solar energy system tax credit certificate or a wind
3 5 energy system tax credit certificate is allowed with respect
3 6 to residential, commercial, or agricultural property and such
3 7 property is sold, the credit for the period after the sale
3 8 which would have been allowable under this chapter to the prior
3 9 owner had the property not been sold shall be allowable to the
3 10 new owner. A tax credit for the year of sale shall be allocated
3 11 between the parties on the basis of the number of days during
3 12 such year that the property was owned by each.

3 13 Sec. 6. NEW SECTION. 473B.4 Reporting.

3 14 On or before January 1, annually, the department shall
3 15 submit a written report to the governor and the general
3 16 assembly regarding the number and value of tax credit
3 17 certificates issued under this chapter, and any other
3 18 information the department may deem meaningful and appropriate.

3 19 Sec. 7. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
3 20 immediate importance, takes effect upon enactment.

3 21 Sec. 8. RETROACTIVE APPLICABILITY. This Act applies
3 22 retroactively to tax years beginning on or after January 1,
3 23 2011.

3 24 EXPLANATION

3 25 This bill provides tax credits for the construction and
3 26 installation of solar energy systems and wind energy systems,
3 27 as defined in the bill.

3 28 The bill provides that a solar energy system tax credit
3 29 and a wind energy system tax credit shall be issued for the
3 30 allowable costs, as determined by the department of revenue,
3 31 incurred in the construction or installation of a solar energy
3 32 system or a wind energy system. The credits shall be equal to
3 33 30 percent of the cost of the construction or installation,
3 34 subject to a maximum credit of \$15,000 for commercial or
3 35 agricultural construction or installation or \$3,000 for



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Senate Study Bill 1196 continued

4 1 residential construction or installation. The bill specifies
4 2 that the credits shall be refundable, and clarifies that
4 3 "residential" means a primary or vacation residence, excluding
4 4 rental property.

4 5 The bill sets forth application and issuance procedures
4 6 in relation to obtaining a tax credit certificate, to be
4 7 developed by the department by rule. The bill provides that,
4 8 at a minimum, qualification criteria shall include submission
4 9 of an energy audit conducted either by or on behalf of the
4 10 applicant's electric utility or through a private energy audit
4 11 service, qualification of the system for the energy star
4 12 efficiency rating developed by the United States environmental
4 13 protection agency or a similar certification program or
4 14 status designated by the department by rule, installation by
4 15 a licensed or certified installer qualified to install solar
4 16 energy or wind energy systems and equipment, and meeting or
4 17 exceeding all applicable local building code and ordinance
4 18 requirements.

4 19 The bill states that if the department finds that a person
4 20 is qualified for a solar energy system tax credit or a wind
4 21 energy system tax credit, the department shall calculate the
4 22 amount of the tax credit for which the person is eligible and
4 23 either issue the applicable tax credit certificate to the
4 24 person or notify the person in writing of its refusal to do so.
4 25 The tax credit certificate may be applied against individual
4 26 or corporate tax owed pursuant to Code chapter 422, division
4 27 II and III for the year in which the allowable costs were
4 28 incurred.

4 29 The bill authorizes a person whose application is denied to
4 30 file an appeal with the department within 60 days from the date
4 31 of denial, and provides for the proration or allocation of a
4 32 credit in the event property subject to a tax credit is sold.
4 33 The bill contains reporting requirements regarding the number
4 34 and value of tax credit certificates issued, and any other
4 35 information the department deems meaningful and appropriate.



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Senate Study Bill 1196 continued

5 1 The bill takes effect upon enactment, and applies
5 2 retroactively to tax years beginning on or after January 1,
5 3 2011.

LSB 2732XC (2) 84
rn/rj



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Senate Study Bill 1197

SENATE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
SENATE APPROPRIATIONS
SUBCOMMITTEE ON
JUSTICE SYSTEM)

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1006SB (1) 84
jm/jp



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Senate Study Bill 1197 continued

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1 1 Section 1. JUDICIAL BRANCH.
1 2 1. There is appropriated from the general fund of the state
1 3 to the judicial branch for the fiscal year beginning July 1,
1 4 2011, and ending June 30, 2012, the following amount, or so
1 5 much thereof as is necessary, to be used for the purposes
1 6 designated:
1 7 a. For salaries of supreme court justices, appellate court
1 8 judges, district court judges, district associate judges,
1 9 judicial magistrates and staff, state court administrator,
1 10 clerk of the supreme court, district court administrators,
1 11 clerks of the district court, juvenile court officers, board of
1 12 law examiners and board of examiners of shorthand reporters and
1 13 judicial qualifications commission; receipt and disbursement
1 14 of child support payments; reimbursement of the auditor
1 15 of state for expenses incurred in completing audits of the
1 16 offices of the clerks of the district court during the fiscal
1 17 year beginning July 1, 2011; and maintenance, equipment, and
1 18 miscellaneous purposes:
1 19 \$154,221,822
1 20 b. For deposit in the revolving fund created pursuant
1 21 to section 602.1302, subsection 3, for jury and witness
1 22 fees, mileage, costs related to summoning jurors, fees for
1 23 interpreters, and reimbursement of attorney fees paid by the
1 24 state public defender:
1 25 \$ 2,300,000
1 26 2. The judicial branch, except for purposes of internal
1 27 processing, shall use the current state budget system, the
1 28 state payroll system, and the Iowa finance and accounting
1 29 system in administration of programs and payments for services,
1 30 and shall not duplicate the state payroll, accounting, and
1 31 budgeting systems.
1 32 3. The judicial branch shall submit monthly financial
1 33 statements to the legislative services agency and the
1 34 department of management containing all appropriated accounts
1 35 in the same manner as provided in the monthly financial status



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Senate Study Bill 1197 continued

2 1 reports and personal services usage reports of the department
2 2 of administrative services. The monthly financial statements
2 3 shall include a comparison of the dollars and percentage
2 4 spent of budgeted versus actual revenues and expenditures on
2 5 a cumulative basis for full-time equivalent positions and
2 6 dollars.
2 7 4. The judicial branch shall focus efforts upon the
2 8 collection of delinquent fines, penalties, court costs, fees,
2 9 surcharges, or similar amounts.
2 10 5. The judicial branch shall open the offices of the clerk
2 11 of the district court in all 99 counties from 8:00 a.m. until
2 12 4:30 p.m. during each business day the judicial branch is open
2 13 for business in order to address the relative needs of the
2 14 citizens of each county.
2 15 6. In addition to the requirements for transfers under
2 16 section 8.39, the judicial branch shall not change the
2 17 appropriations from the amounts appropriated to the judicial
2 18 branch in this Act, unless notice of the revisions is given
2 19 prior to their effective date to the legislative services
2 20 agency. The notice shall include information on the branch's
2 21 rationale for making the changes and details concerning the
2 22 workload and performance measures upon which the changes are
2 23 based.
2 24 7. The judicial branch shall submit a semiannual update
2 25 to the legislative services agency specifying the amounts of
2 26 fines, surcharges, and court costs collected using the Iowa
2 27 court information system since the last report. The judicial
2 28 branch shall continue to facilitate the sharing of vital
2 29 sentencing and other information with other state departments
2 30 and governmental agencies involved in the criminal justice
2 31 system through the Iowa court information system.
2 32 8. The judicial branch shall provide a report to the general
2 33 assembly by January 1, 2012, concerning the amounts received
2 34 and expended from the enhanced court collections fund created
2 35 in section 602.1304 and the court technology and modernization



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Senate Study Bill 1197 continued

3 1 fund created in section 602.8108, subsection 7, during the
3 2 fiscal year beginning July 1, 2010, and ending June 30, 2011,
3 3 and the plans for expenditures from each fund during the fiscal
3 4 year beginning July 1, 2011, and ending June 30, 2012. A copy
3 5 of the report shall be provided to the legislative services
3 6 agency.

3 7 9. The judicial branch is encouraged to purchase products
3 8 from Iowa state industries, as defined in section 904.802, when
3 9 purchases are required and the products are available from Iowa
3 10 state industries. The judicial branch shall obtain bids from
3 11 Iowa state industries for purchases of office furniture during
3 12 the fiscal year beginning July 1, 2011, exceeding \$5,000.

3 13 Sec. 2. CIVIL TRIALS ==== LOCATION. Notwithstanding any
3 14 provision to the contrary, for the fiscal year beginning July
3 15 1, 2011, and ending June 30, 2012, if all parties in a case
3 16 agree, a civil trial including a jury trial may take place in a
3 17 county contiguous to the county with proper jurisdiction, even
3 18 if the contiguous county is located in an adjacent judicial
3 19 district or judicial election district. If the trial is moved
3 20 pursuant to this section, court personnel shall treat the case
3 21 as if a change of venue occurred. However, if a trial is moved
3 22 to an adjacent judicial district or judicial election district,
3 23 the judicial officers serving in the judicial district or
3 24 judicial election district receiving the case shall preside
3 25 over the case.

3 26 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
3 27 602.1509, for the fiscal year beginning July 1, 2011, a
3 28 judicial officer may waive travel reimbursement for any travel
3 29 outside the judicial officer's county of residence to conduct
3 30 official judicial business.

3 31 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ====
3 32 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
3 33 required to be provided by the judicial branch for fiscal year
3 34 2011=2012 to the legislative services agency shall be provided
3 35 in an electronic format. The legislative services agency shall



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Senate Study Bill 1197 continued

4 1 post the reports on its internet website and shall notify by
4 2 electronic means all the members of the joint appropriations
4 3 subcommittee on the justice system when a report is posted.
4 4 Upon request, copies of the reports may be mailed to members of
4 5 the joint appropriations subcommittee on the justice system.
4 6 Sec. 5. JUDICIAL OFFICER ==== UNPAID LEAVE. Notwithstanding
4 7 the annual salary rates for judicial officers established by
4 8 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
4 9 beginning July 1, 2011, and ending June 30, 2012, the supreme
4 10 court may by order place all judicial officers on unpaid leave
4 11 status on any day employees of the judicial branch are placed
4 12 on temporary layoff status. The biweekly pay of the judicial
4 13 officers shall be reduced accordingly for the pay period in
4 14 which the unpaid leave date occurred in the same manner as
4 15 for noncontract employees of the judicial branch. Through
4 16 the course of the fiscal year, the judicial branch may use an
4 17 amount equal to the aggregate amount of salary reductions due
4 18 to the judicial officer unpaid leave days for any purpose other
4 19 than for judicial salaries.
4 20 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent
4 21 of the general assembly that the judicial branch utilize
4 22 the Iowa communications network or other secure electronic
4 23 communications in lieu of traveling for the fiscal year
4 24 beginning July 1, 2011.

4 25 EXPLANATION

4 26 This bill appropriates from the general fund of the state for
4 27 FY 2011=2012 to the judicial branch for salaries, maintenance,
4 28 equipment, and miscellaneous purposes.
4 29 The bill appropriates \$2.3 million from the general fund
4 30 of the state to the revolving fund created in Code section
4 31 602.1302 for jury and witness fees, mileage, costs related to
4 32 summoning jurors, fees for interpreters, and certain attorney
4 33 fee reimbursement.
4 34 The bill requires the judicial branch to open the offices of
4 35 the clerk of the district court in all 99 counties from 8:00



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Senate Study Bill 1197 continued

5 1 a.m. until 4:30 p.m. during each business day the judicial
5 2 branch is open for business in order to address the relative
5 3 needs of the citizens of each county.
5 4 The bill provides that a civil trial including a jury trial
5 5 may take place in a county contiguous to the county with proper
5 6 jurisdiction, even if the contiguous county is located in an
5 7 adjacent judicial district or judicial election district, if
5 8 all the parties in a case agree. If a trial is moved to another
5 9 county that is located in another judicial district or judicial
5 10 election district, the judicial officers serving the judicial
5 11 district or judicial election district receiving the case shall
5 12 preside over the case.
5 13 The bill permits a judicial officer to waive travel
5 14 reimbursement for any travel outside the judicial officer's
5 15 county of residence to conduct official business.
5 16 The bill allows a judicial officer to be placed on unpaid
5 17 leave for the fiscal year beginning July 1, 2011, and ending
5 18 June 30, 2012, on any day a court employee is required to
5 19 furlough. The bill provides that if a judicial officer is
5 20 placed on unpaid leave, the salary of the judicial officer
5 21 shall be reduced accordingly for the pay period in which the
5 22 unpaid leave occurred. Through the course of the fiscal year,
5 23 the bill provides that the judicial branch may use an amount
5 24 equal to the aggregate amount of the salary reductions due
5 25 to judicial officer unpaid leave for any purpose other than
5 26 judicial salaries.
5 27 The bill provides legislative intent that the judicial
5 28 branch utilize the Iowa communications network or other secure
5 29 electronic communications in lieu of traveling.

LSB 1006SB (1) 84

jm/jp



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Senate Study Bill 1198

SENATE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
SENATE APPROPRIATIONS
SUBCOMMITTEE ON
JUSTICE SYSTEM)

A BILL FOR

1 An Act relating to and making appropriations to the justice
2 system.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1005SB (3) 84
jm/jp



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Senate Study Bill 1198 continued

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1 1 Section 1. DEPARTMENT OF JUSTICE.
1 2 1. There is appropriated from the general fund of the state
1 3 to the department of justice for the fiscal year beginning July
1 4 1, 2011, and ending June 30, 2012, the following amounts, or
1 5 so much thereof as is necessary, to be used for the purposes
1 6 designated:
1 7 a. For the general office of attorney general for salaries,
1 8 support, maintenance, and miscellaneous purposes, including
1 9 the prosecuting attorneys training program, matching funds for
1 10 federal violence against women grant program, victim assistance
1 11 grants, office of drug control policy prosecuting attorney
1 12 program, and odometer fraud enforcement, and for not more than
1 13 the following full-time equivalent positions:
1 14 \$ 7,942,930
1 15 FTEs 212.00
1 16 It is the intent of the general assembly that as a condition
1 17 of receiving the appropriation provided in this lettered
1 18 paragraph, the department of justice shall maintain a record
1 19 of the estimated time incurred representing each agency or
1 20 department.
1 21 b. For victim assistance grants:
1 22 \$ 2,876,400
1 23 The funds appropriated in this lettered paragraph shall be
1 24 used to provide grants to care providers providing services to
1 25 crime victims of domestic abuse or to crime victims of rape and
1 26 sexual assault.
1 27 The balance of the victim compensation fund established in
1 28 section 915.94 may be used to provide salary and support of not
1 29 more than 24 FTEs and to provide maintenance for the victim
1 30 compensation functions of the department of justice.
1 31 The department of justice shall transfer at least \$150,000
1 32 from the victim compensation fund established in section 915.94
1 33 to the victim assistance grant program.
1 34 c. For legal services for persons in poverty grants as
1 35 provided in section 13.34:



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Senate Study Bill 1198 continued

2 1 \$ 1,814,831
2 2 2. a. The department of justice, in submitting budget
2 3 estimates for the fiscal year commencing July 1, 2012, pursuant
2 4 to section 8.23, shall include a report of funding from sources
2 5 other than amounts appropriated directly from the general fund
2 6 of the state to the department of justice or to the office of
2 7 consumer advocate. These funding sources shall include but
2 8 are not limited to reimbursements from other state agencies,
2 9 commissions, boards, or similar entities, and reimbursements
2 10 from special funds or internal accounts within the department
2 11 of justice. The department of justice shall also report actual
2 12 reimbursements for the fiscal year commencing July 1, 2010,
2 13 and actual and expected reimbursements for the fiscal year
2 14 commencing July 1, 2011.
2 15 b. The department of justice shall include the report
2 16 required under paragraph "a", as well as information regarding
2 17 any revisions occurring as a result of reimbursements actually
2 18 received or expected at a later date, in a report to the
2 19 co=chairpersons and ranking members of the joint appropriations
2 20 subcommittee on the justice system and the legislative services
2 21 agency. The department of justice shall submit the report on
2 22 or before January 15, 2012.
2 23 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
2 24 from the department of commerce revolving fund created in
2 25 section 546.12 to the office of consumer advocate of the
2 26 department of justice for the fiscal year beginning July 1,
2 27 2011, and ending June 30, 2012, the following amount, or so
2 28 much thereof as is necessary, to be used for the purposes
2 29 designated:
2 30 For salaries, support, maintenance, miscellaneous purposes,
2 31 and for not more than the following full=time equivalent
2 32 positions:
2 33 \$ 3,336,344
2 34 FTEs 22.00
2 35 Sec. 3. DEPARTMENT OF CORRECTIONS ==== FACILITIES.



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3 1 1. There is appropriated from the general fund of the
3 2 state to the department of corrections for the fiscal year
3 3 beginning July 1, 2011, and ending June 30, 2012, the following
3 4 amounts, or so much thereof as is necessary, to be used for the
3 5 operation of adult correctional institutions, reimbursement
3 6 of counties for certain confinement costs, and federal prison
3 7 reimbursement, to be allocated as follows:
3 8 a. For the operation of the Fort Madison correctional
3 9 facility, including salaries, support, maintenance, and
3 10 miscellaneous purposes:
3 11 \$ 41,345,606
3 12 b. For the operation of the Anamosa correctional facility,
3 13 including salaries, support, maintenance, and miscellaneous
3 14 purposes:
3 15 \$ 31,985,974
3 16 c. For the operation of the Oakdale correctional facility,
3 17 including salaries, support, maintenance, and miscellaneous
3 18 purposes:
3 19 \$ 55,600,610
3 20 d. For the operation of the Newton correctional facility,
3 21 including salaries, support, maintenance, and miscellaneous
3 22 purposes:
3 23 \$ 25,958,757
3 24 e. For the operation of the Mt. Pleasant correctional
3 25 facility, including salaries, support, maintenance, and
3 26 miscellaneous purposes:
3 27 \$ 25,917,815
3 28 f. For the operation of the Rockwell City correctional
3 29 facility, including salaries, support, maintenance, and
3 30 miscellaneous purposes:
3 31 \$ 9,316,466
3 32 g. For the operation of the Clarinda correctional facility,
3 33 including salaries, support, maintenance, and miscellaneous
3 34 purposes:
3 35 \$ 24,482,356



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4 1 Moneys received by the department of corrections as
4 2 reimbursement for services provided to the Clarinda youth
4 3 corporation are appropriated to the department and shall be
4 4 used for the purpose of operating the Clarinda correctional
4 5 facility.
4 6 h. For the operation of the Mitchellville correctional
4 7 facility, including salaries, support, maintenance, and
4 8 miscellaneous purposes:
4 9 \$ 15,615,374
4 10 i. For the operation of the Fort Dodge correctional
4 11 facility, including salaries, support, maintenance, and
4 12 miscellaneous purposes:
4 13 \$ 29,062,235
4 14 j. For reimbursement of counties for temporary confinement
4 15 of work release and parole violators, as provided in sections
4 16 901.7, 904.908, and 906.17, and for offenders confined pursuant
4 17 to section 904.513:
4 18 \$ 775,092
4 19 k. For federal prison reimbursement, reimbursements for
4 20 out-of-state placements, and miscellaneous contracts:
4 21 \$ 239,411
4 22 2. The department of corrections shall use moneys
4 23 appropriated in subsection 1 to continue to contract for the
4 24 services of a Muslim imam and Native American spiritual leader.
4 25 Sec. 4. DEPARTMENT OF CORRECTIONS === ADMINISTRATION.
4 26 1. There is appropriated from the general fund of the state
4 27 to the department of corrections for the fiscal year beginning
4 28 July 1, 2011, and ending June 30, 2012, the following amounts,
4 29 or so much thereof as is necessary, to be used for the purposes
4 30 designated:
4 31 a. For general administration, including salaries, support,
4 32 maintenance, employment of an education director to administer
4 33 a centralized education program for the correctional system,
4 34 and miscellaneous purposes:
4 35 \$ 4,835,542



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5 1 (1) It is the intent of the general assembly that as a
5 2 condition of receiving the appropriation provided in this
5 3 lettered paragraph the department of corrections shall not,
5 4 except as otherwise provided in subparagraph (3), enter
5 5 into a new contract, unless the contract is a renewal of an
5 6 existing contract, for the expenditure of moneys in excess of
5 7 \$100,000 during the fiscal year beginning July 1, 2011, for the
5 8 privatization of services performed by the department using
5 9 state employees as of July 1, 2011, or for the privatization
5 10 of new services by the department without prior consultation
5 11 with any applicable state employee organization affected
5 12 by the proposed new contract and prior notification of the
5 13 co=chairpersons and ranking members of the joint appropriations
5 14 subcommittee on the justice system.

5 15 (2) It is the intent of the general assembly that each
5 16 lease negotiated by the department of corrections with a
5 17 private corporation for the purpose of providing private
5 18 industry employment of inmates in a correctional institution
5 19 shall prohibit the private corporation from utilizing inmate
5 20 labor for partisan political purposes for any person seeking
5 21 election to public office in this state and that a violation
5 22 of this requirement shall result in a termination of the lease
5 23 agreement.

5 24 (3) It is the intent of the general assembly that as a
5 25 condition of receiving the appropriation provided in this
5 26 lettered paragraph the department of corrections shall not
5 27 enter into a lease or contractual agreement pursuant to section
5 28 904.809 with a private corporation for the use of building
5 29 space for the purpose of providing inmate employment without
5 30 providing that the terms of the lease or contract establish
5 31 safeguards to restrict, to the greatest extent feasible, access
5 32 by inmates working for the private corporation to personal
5 33 identifying information of citizens.

5 34 b. For educational programs for inmates at state penal
5 35 institutions:



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6 1 \$ 2,383,109
6 2 (1) As a condition of receiving the appropriation in
6 3 this lettered paragraph, the department of corrections
6 4 shall transfer at least \$300,000 from the canteen operating
6 5 funds established pursuant to section 904.310 to be used for
6 6 correctional educational programs funded in this lettered
6 7 paragraph.
6 8 (2) It is the intent of the general assembly that moneys
6 9 appropriated in this lettered paragraph shall be used solely
6 10 for the purpose indicated and that the moneys shall not be
6 11 transferred for any other purpose. In addition, it is the
6 12 intent of the general assembly that the department shall
6 13 consult with the community colleges in the areas in which the
6 14 institutions are located to utilize moneys appropriated in this
6 15 lettered paragraph to fund the high school completion, high
6 16 school equivalency diploma, adult literacy, and adult basic
6 17 education programs in a manner so as to maintain these programs
6 18 at the institutions.
6 19 (3) To maximize the funding for educational programs,
6 20 the department shall establish guidelines and procedures to
6 21 prioritize the availability of educational and vocational
6 22 training for inmates based upon the goal of facilitating an
6 23 inmate's successful release from the correctional institution.
6 24 (4) The director of the department of corrections may
6 25 transfer moneys from Iowa prison industries for use in
6 26 educational programs for inmates.
6 27 (5) Notwithstanding section 8.33, moneys appropriated in
6 28 this lettered paragraph that remain unobligated or unexpended
6 29 at the close of the fiscal year shall not revert but shall
6 30 remain available for expenditure only for the purpose
6 31 designated in this lettered paragraph until the close of the
6 32 succeeding fiscal year.
6 33 c. For the development of the Iowa corrections offender
6 34 network (ICON) data system:
6 35 \$ 424,364



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7 1 d. For offender mental health and substance abuse
7 2 treatment:
7 3 \$ 22,319
7 4 e. For viral hepatitis prevention and treatment:
7 5 \$ 167,881
7 6 2. It is the intent of the general assembly that the
7 7 department of corrections shall continue to operate the
7 8 correctional farms under the control of the department at
7 9 the same or greater level of participation and involvement
7 10 as existed as of January 1, 2011; shall not enter into any
7 11 rental agreement or contract concerning any farmland under
7 12 the control of the department that is not subject to a rental
7 13 agreement or contract as of January 1, 2011, without prior
7 14 legislative approval; and shall further attempt to provide
7 15 job opportunities at the farms for inmates. The department
7 16 shall attempt to provide job opportunities at the farms for
7 17 inmates by encouraging labor-intensive farming or gardening
7 18 where appropriate; using inmates to grow produce and meat for
7 19 institutional consumption; researching the possibility of
7 20 instituting food canning and cook-and-chill operations; and
7 21 exploring opportunities for organic farming and gardening,
7 22 livestock ventures, horticulture, and specialized crops.
7 23 3. The department of corrections shall solicit requests for
7 24 information to improve efficiencies at the pharmacy under the
7 25 control of the department.
7 26 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
7 27 SERVICES.
7 28 1. There is appropriated from the general fund of the state
7 29 to the department of corrections for the fiscal year beginning
7 30 July 1, 2011, and ending June 30, 2012, for salaries, support,
7 31 maintenance, and miscellaneous purposes, the following amounts,
7 32 or so much thereof as is necessary, to be allocated as follows:
7 33 a. For the first judicial district department of
7 34 correctional services:
7 35 \$ 13,890,258



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8 1 b. For the second judicial district department of
8 2 correctional services:
8 3 \$ 10,336,948
8 4 c. For the third judicial district department of
8 5 correctional services:
8 6 \$ 5,599,765
8 7 d. For the fourth judicial district department of
8 8 correctional services:
8 9 \$ 5,391,355
8 10 e. For the fifth judicial district department of
8 11 correctional services, including funding for electronic
8 12 monitoring devices for use on a statewide basis:
8 13 \$ 18,742,129
8 14 f. For the sixth judicial district department of
8 15 correctional services:
8 16 \$ 13,112,563
8 17 g. For the seventh judicial district department of
8 18 correctional services:
8 19 \$ 7,259,155
8 20 h. For the eighth judicial district department of
8 21 correctional services:
8 22 \$ 6,879,715
8 23 2. Each judicial district department of correctional
8 24 services, within the funding available, shall continue programs
8 25 and plans established within that district to provide for
8 26 intensive supervision, sex offender treatment, diversion of
8 27 low-risk offenders to the least restrictive sanction available,
8 28 job development, and expanded use of intermediate criminal
8 29 sanctions.
8 30 3. Each judicial district department of correctional
8 31 services shall provide alternatives to prison consistent with
8 32 chapter 901B. The alternatives to prison shall ensure public
8 33 safety while providing maximum rehabilitation to the offender.
8 34 A judicial district department of correctional services may
8 35 also establish a day program.



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9 1 4. The governor's office of drug control policy shall
9 2 consider federal grants made to the department of corrections
9 3 for the benefit of each of the eight judicial district
9 4 departments of correctional services as local government
9 5 grants, as defined pursuant to federal regulations.
9 6 5. The department of corrections shall continue to contract
9 7 with a judicial district department of correctional services to
9 8 provide for the rental of electronic monitoring equipment which
9 9 shall be available statewide.
9 10 Sec. 6. DEPARTMENT OF CORRECTIONS ==== REALLOCATION OF
9 11 APPROPRIATIONS. Notwithstanding section 8.39, within
9 12 the moneys appropriated in this Act to the department of
9 13 corrections, the department may reallocate the moneys
9 14 appropriated and allocated as necessary to best fulfill the
9 15 needs of the correctional institutions, administration of
9 16 the department, and the judicial district departments of
9 17 correctional services. However, in addition to complying with
9 18 the requirements of sections 904.116 and 905.8 and providing
9 19 notice to the legislative services agency, the department
9 20 of corrections shall also provide notice to the department
9 21 of management, prior to the effective date of the revision
9 22 or reallocation of an appropriation made pursuant to this
9 23 section. The department of corrections shall not reallocate an
9 24 appropriation or allocation for the purpose of eliminating any
9 25 program.
9 26 Sec. 7. INTENT ==== REPORTS.
9 27 1. The department of corrections in cooperation with
9 28 townships, the Iowa cemetery associations, and other nonprofit
9 29 or governmental entities may use inmate labor during the
9 30 fiscal year beginning July 1, 2011, to restore or preserve
9 31 rural cemeteries and historical landmarks. The department in
9 32 cooperation with the counties may also use inmate labor to
9 33 clean up roads, major water sources, and other water sources
9 34 around the state.
9 35 2. On a quarterly basis the department shall provide a



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10 1 status report regarding private=sector employment to the
10 2 legislative services agency beginning on July 1, 2011. The
10 3 report shall include the number of offenders employed in the
10 4 private sector, the combined number of hours worked by the
10 5 offenders, the total amount of allowances, and the distribution
10 6 of allowances pursuant to section 904.702, including any moneys
10 7 deposited in the general fund of the state.

10 8 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
10 9 corrections shall submit a report on electronic monitoring to
10 10 the general assembly, to the co=chairpersons and the ranking
10 11 members of the joint appropriations subcommittee on the justice
10 12 system, and to the legislative services agency by January
10 13 15, 2012. The report shall specifically address the number
10 14 of persons being electronically monitored and break down the
10 15 number of persons being electronically monitored by offense
10 16 committed. The report shall also include a comparison of any
10 17 data from the prior fiscal year with the current year.

10 18 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

10 19 1. As used in this section, unless the context otherwise
10 20 requires, "state agency" means the government of the state
10 21 of Iowa, including but not limited to all executive branch
10 22 departments, agencies, boards, bureaus, and commissions, the
10 23 judicial branch, the general assembly and all legislative
10 24 agencies, institutions within the purview of the state board of
10 25 regents, and any corporation whose primary function is to act
10 26 as an instrumentality of the state.

10 27 2. State agencies are hereby encouraged to purchase
10 28 products from Iowa state industries, as defined in section
10 29 904.802, when purchases are required and the products are
10 30 available from Iowa state industries. State agencies shall
10 31 obtain bids from Iowa state industries for purchases of
10 32 office furniture during the fiscal year beginning July 1,
10 33 2011, exceeding \$5,000 or in accordance with applicable
10 34 administrative rules related to purchases for the agency.

10 35 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from



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11 1 the general fund of the state to the office of the state public
11 2 defender of the department of inspections and appeals for the
11 3 fiscal year beginning July 1, 2011, and ending June 30, 2012,
11 4 the following amounts, or so much thereof as is necessary, to
11 5 be allocated as follows for the purposes designated:

11 6 1. For salaries, support, maintenance, miscellaneous
11 7 purposes, and for not more than the following full-time
11 8 equivalent positions:

11 9 \$ 24,083,182
11 10 FTEs 219.00

11 11 2. For the fees of court-appointed attorneys for indigent
11 12 adults and juveniles, in accordance with section 232.141 and
11 13 chapter 815:

11 14 \$ 26,680,929

11 15 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

11 16 1. There is appropriated from the general fund of the
11 17 state to the Iowa law enforcement academy for the fiscal year
11 18 beginning July 1, 2011, and ending June 30, 2012, the following
11 19 amount, or so much thereof as is necessary, to be used for the
11 20 purposes designated:

11 21 For salaries, support, maintenance, miscellaneous purposes,
11 22 including jailer training and technical assistance, and for not
11 23 more than the following full-time equivalent positions:

11 24 \$ 868,698
11 25 FTEs 24.55

11 26 It is the intent of the general assembly that the Iowa law
11 27 enforcement academy may provide training of state and local
11 28 law enforcement personnel concerning the recognition of and
11 29 response to persons with Alzheimer's disease.

11 30 The Iowa law enforcement academy may temporarily exceed and
11 31 draw more than the amount appropriated in this subsection and
11 32 incur a negative cash balance as long as there are receivables
11 33 equal to or greater than the negative balance and the amount
11 34 appropriated in this subsection is not exceeded at the close
11 35 of the fiscal year.



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12 1 2. The Iowa law enforcement academy may select at least
12 2 five automobiles of the department of public safety, division
12 3 of state patrol, prior to turning over the automobiles to
12 4 the department of administrative services to be disposed
12 5 of by public auction, and the Iowa law enforcement academy
12 6 may exchange any automobile owned by the academy for each
12 7 automobile selected if the selected automobile is used in
12 8 training law enforcement officers at the academy. However, any
12 9 automobile exchanged by the academy shall be substituted for
12 10 the selected vehicle of the department of public safety and
12 11 sold by public auction with the receipts being deposited in the
12 12 depreciation fund to the credit of the department of public
12 13 safety, division of state patrol.

12 14 Sec. 12. BOARD OF PAROLE. There is appropriated from the
12 15 general fund of the state to the board of parole for the fiscal
12 16 year beginning July 1, 2011, and ending June 30, 2012, the
12 17 following amount, or so much thereof as is necessary, to be
12 18 used for the purposes designated:

12 19 For salaries, support, maintenance, miscellaneous purposes,
12 20 and for not more than the following full-time equivalent
12 21 positions:

12 22	\$	1,053,835
12 23	FTEs	12.50

12 24 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
12 25 appropriated from the general fund of the state to the
12 26 department of public defense for the fiscal year beginning July
12 27 1, 2011, and ending June 30, 2012, the following amounts, or
12 28 so much thereof as is necessary, to be used for the purposes
12 29 designated:

12 30 1. MILITARY DIVISION

12 31 For salaries, support, maintenance, miscellaneous purposes,
12 32 and for not more than the following full-time equivalent
12 33 positions:

12 34	\$	5,527,042
12 35	FTEs	313.00



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13 1 The military division may temporarily exceed and draw more
13 2 than the amount appropriated in this subsection and incur a
13 3 negative cash balance as long as there are receivables of
13 4 federal funds equal to or greater than the negative balance and
13 5 the amount appropriated in this subsection is not exceeded at
13 6 the close of the fiscal year.

13 7 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

13 8 For salaries, support, maintenance, miscellaneous purposes,
13 9 and for not more than the following full-time equivalent
13 10 positions:

13 11	\$	1,836,877
13 12	FTEs	40.00

13 13 a. The homeland security and emergency management
13 14 division may temporarily exceed and draw more than the amount
13 15 appropriated in this subsection and incur a negative cash
13 16 balance as long as there are receivables of federal funds
13 17 equal to or greater than the negative balance and the amount
13 18 appropriated in this subsection is not exceeded at the close
13 19 of the fiscal year.

13 20 b. It is the intent of the general assembly that the
13 21 homeland security and emergency management division work in
13 22 conjunction with the department of public safety, to the extent
13 23 possible, when gathering and analyzing information related
13 24 to potential domestic or foreign security threats, and when
13 25 monitoring such threats.

13 26 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
13 27 from the general fund of the state to the department of public
13 28 safety for the fiscal year beginning July 1, 2011, and ending
13 29 June 30, 2012, the following amounts, or so much thereof as is
13 30 necessary, to be used for the purposes designated:

13 31 1. For the department's administrative functions, including
13 32 the criminal justice information system, and for not more than
13 33 the following full-time equivalent positions:

13 34	\$	4,007,075
13 35	FTEs	36.00



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14 1 2. For the division of criminal investigation, including
14 2 the state's contribution to the peace officers' retirement,
14 3 accident, and disability system provided in chapter 97A in the
14 4 amount of the state's normal contribution rate, as defined in
14 5 section 97A.8, multiplied by the salaries for which the funds
14 6 are appropriated, to meet federal fund matching requirements,
14 7 and for not more than the following full-time equivalent
14 8 positions:

14 9	.....	\$ 12,533,931
14 10	..... FTEs	159.10

14 11 The department shall employ one additional special agent and
14 12 one additional criminalist for the purpose of investigating
14 13 cold cases. Prior to employing the additional special agent
14 14 and criminalist authorized in this paragraph, the department
14 15 shall provide a written statement to prospective employees that
14 16 states to the effect that the positions are being funded by a
14 17 temporary federal grant and there are no assurances that funds
14 18 from other sources will be available after the federal funding
14 19 expires. If the federal funding for the additional positions
14 20 expires during the fiscal year, the number of full-time
14 21 equivalent positions authorized in this subsection is reduced
14 22 by 2.00 FTEs.

14 23 3. For the criminalistics laboratory fund created in
14 24 section 691.9:

14 25	\$ 302,345
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14 26 4. a. For the division of narcotics enforcement, including
14 27 the state's contribution to the peace officers' retirement,
14 28 accident, and disability system provided in chapter 97A in the
14 29 amount of the state's normal contribution rate, as defined in
14 30 section 97A.8, multiplied by the salaries for which the funds
14 31 are appropriated, to meet federal fund matching requirements,
14 32 and for not more than the following full-time equivalent
14 33 positions:

14 34	\$ 6,429,884
14 35 FTEs	74.00



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15 1 b. For the division of narcotics enforcement for undercover
15 2 purchases:
15 3 \$ 109,042
15 4 5. For the division of state fire marshal, for fire
15 5 protection services as provided through the state fire service
15 6 and emergency response council as created in the department,
15 7 and for the state's contribution to the peace officers'
15 8 retirement, accident, and disability system provided in chapter
15 9 97A in the amount of the state's normal contribution rate, as
15 10 defined in section 97A.8, multiplied by the salaries for which
15 11 the funds are appropriated, and for not more than the following
15 12 full-time equivalent positions:
15 13 \$ 4,298,707
15 14 FTEs 55.00
15 15 6. For the division of state patrol, for salaries, support,
15 16 maintenance, workers' compensation costs, and miscellaneous
15 17 purposes, including the state's contribution to the peace
15 18 officers' retirement, accident, and disability system provided
15 19 in chapter 97A in the amount of the state's normal contribution
15 20 rate, as defined in section 97A.8, multiplied by the salaries
15 21 for which the funds are appropriated, and for not more than the
15 22 following full-time equivalent positions:
15 23 \$ 52,026,698
15 24 FTEs 513.00
15 25 It is the intent of the general assembly that members of the
15 26 state patrol be assigned to patrol the highways and roads in
15 27 lieu of assignments for inspecting school buses for the school
15 28 districts.
15 29 7. For deposit in the sick leave benefits fund established
15 30 under section 80.42 for all departmental employees eligible to
15 31 receive benefits for accrued sick leave under the collective
15 32 bargaining agreement:
15 33 \$ 279,517
15 34 8. For costs associated with the training and equipment
15 35 needs of volunteer fire fighters:



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16 1 \$ 725,520
16 2 a. Notwithstanding section 8.33, moneys appropriated in
16 3 this subsection that remain unencumbered or unobligated at the
16 4 close of the fiscal year shall not revert but shall remain
16 5 available for expenditure only for the purpose designated in
16 6 this subsection until the close of the succeeding fiscal year.
16 7 b. Notwithstanding section 8.39, within the moneys
16 8 appropriated in this section, the department of public safety
16 9 may reallocate moneys as necessary to best fulfill the needs
16 10 provided for in the appropriation. However, the department
16 11 shall not reallocate an appropriation made to the department
16 12 in this section unless notice of the reallocation is given
16 13 to the legislative services agency and the department of
16 14 management prior to the effective date of the reallocation.
16 15 The notice shall include information regarding the rationale
16 16 for reallocating the appropriation. The department shall
16 17 not reallocate an appropriation made in this section for the
16 18 purpose of eliminating any program.
16 19 Sec. 15. GAMING ENFORCEMENT.
16 20 1. There is appropriated from the gaming enforcement
16 21 revolving fund created in section 80.43 to the department of
16 22 public safety for the fiscal year beginning July 1, 2011, and
16 23 ending June 30, 2012, the following amount, or so much thereof
16 24 as is necessary, to be used for the purposes designated:
16 25 For any direct and indirect support costs for agents
16 26 and officers of the division of criminal investigation's
16 27 excursion gambling boat, gambling structure, and racetrack
16 28 enclosure enforcement activities, including salaries, support,
16 29 maintenance, miscellaneous purposes, and for not more than the
16 30 following full-time equivalent positions:
16 31 \$ 9,836,306
16 32 FTEs 120.00
16 33 2. For each additional license to conduct gambling games on
16 34 an excursion gambling boat, gambling structure, or racetrack
16 35 enclosure issued during the fiscal year beginning July 1, 2011,



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17 1 there is appropriated from the gaming enforcement fund to the
17 2 department of public safety for the fiscal year beginning July
17 3 1, 2011, an additional amount of not more than \$521,000 to be
17 4 used for not more than 6.00 additional full-time equivalent
17 5 positions.

17 6 3. The department of public safety, with the approval
17 7 of the department of management, may employ no more than two
17 8 special agents and three gaming enforcement officers for each
17 9 additional excursion gambling boat or gambling structure
17 10 regulated on or after July 1, 2011, with a patron capacity of
17 11 less than two thousand persons or no more than two special
17 12 agents and four gaming enforcement officers for each additional
17 13 excursion gambling boat or gambling structure regulated on or
17 14 after July 1, 2011, with a patron capacity of at least two
17 15 thousand persons. One additional gaming enforcement officer,
17 16 up to a total of four per excursion gambling boat or gambling
17 17 structure, may be employed for each excursion gambling boat or
17 18 gambling structure that has extended operations to 24 hours and
17 19 has not previously operated with a 24-hour schedule. Positions
17 20 authorized in this subsection are in addition to the full-time
17 21 equivalent positions otherwise authorized in subsection 1.

17 22 4. It is the intent of the general assembly that beginning
17 23 July 1, 2011, there shall not be more than three gaming
17 24 enforcement officers for each excursion gambling boat or
17 25 gambling structure with a patron capacity of less than two
17 26 thousand persons or more than four gaming enforcement officers
17 27 for each excursion gambling boat or gambling structure with
17 28 a patron capacity of at least two thousand persons. It is
17 29 also the intent of the general assembly that this subsection
17 30 shall not be construed to authorize the removal of a gaming
17 31 enforcement officer from the gaming enforcement officer's
17 32 current position.

17 33 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated
17 34 from the general fund of the state to the Iowa state civil
17 35 rights commission for the fiscal year beginning July 1,



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18 1 2011, and ending June 30, 2012, the following amount, or so
18 2 much thereof as is necessary, to be used for the purposes
18 3 designated:
18 4 For salaries, support, maintenance, miscellaneous purposes,
18 5 and for not more than the following full-time equivalent
18 6 positions:
18 7 \$ 1,397,069
18 8 FTEs 28.00
18 9 The Iowa state civil rights commission may enter into
18 10 a contract with a nonprofit organization to provide legal
18 11 assistance to resolve civil rights complaints.
18 12 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
18 13 DIVISION. There is appropriated from the wireless E911
18 14 emergency communications fund created in section 34A.7A to the
18 15 administrator of the homeland security and emergency management
18 16 division of the department of public defense for the fiscal
18 17 year beginning July 1, 2011, and ending June 30, 2012, an
18 18 amount not exceeding \$200,000 to be used for implementation,
18 19 support, and maintenance of the functions of the administrator
18 20 and program manager under chapter 34A and to employ the auditor
18 21 of the state to perform an annual audit of the wireless E911
18 22 emergency communications fund.
18 23 Sec. 18. 2009 Iowa Acts, chapter 178, section 20, is amended
18 24 to read as follows:
18 25 SEC. 20. CONSUMER EDUCATION AND LITIGATION
18 26 FUND. Notwithstanding section 714.16C, for each fiscal
18 27 year of the period beginning July 1, 2008, and ending June
18 28 30, ~~2011~~ 2013, the annual appropriations in section 714.16C,
18 29 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
18 30 \$125,000 respectively. Moneys appropriated from the consumer
18 31 education and litigation fund may be allocated for cash flow
18 32 purposes to the victim compensation fund established in section
18 33 915.94 during each of the fiscal years enumerated, provided
18 34 that any moneys so allocated are returned to the consumer
18 35 education and litigation fund by the end of each fiscal year an



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19 1 allocation occurs.

19 2 Sec. 19. IOWA COMMUNICATIONS NETWORK. It is the
19 3 intent of the general assembly that the executive branch
19 4 agencies receiving an appropriation in this Act utilize
19 5 the Iowa communications network or secure other electronic
19 6 communications in lieu of traveling for the fiscal year
19 7 addressed by the appropriations.

19	8	EXPLANATION
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19 9 This bill relates to and makes appropriations to the justice
19 10 system.

19 11 The bill makes appropriations from the general fund of the
19 12 state for fiscal year 2011=2012 to the departments of justice,
19 13 corrections, public defense, and public safety, and the Iowa
19 14 law enforcement academy, office of the state public defender,
19 15 board of parole, and Iowa state civil rights commission.

19 16 The bill appropriates moneys from the department of commerce
19 17 revolving fund to the office of consumer advocate of the
19 18 department of justice.

19 19 The bill requires the department of corrections to solicit
19 20 requests for information to improve efficiencies at the
19 21 pharmacy under control of the department of corrections.

19 22 The bill also appropriates moneys from the gaming
19 23 enforcement revolving fund to the department of public safety.
19 24 The division also authorizes FTEs related to gaming enforcement
19 25 in the fund.

19 26 The bill also provides that for each additional license to
19 27 conduct gambling games on an excursion gambling boat, gambling
19 28 structure, or racetrack enclosure issued during the fiscal
19 29 period beginning on July 1, 2011, there is appropriated from
19 30 the gaming enforcement fund to the department of public safety
19 31 for the fiscal year beginning July 1, 2011, an additional
19 32 amount of not more than \$521,000 to be used for not more than
19 33 6.00 additional full-time equivalent positions.

19 34 The bill provides that it is the intent of the general
19 35 assembly there not be more than three gaming enforcement



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20 1 officers for each excursion gambling boat or gambling structure
20 2 with a patron capacity of less than 2,000 persons or more than
20 3 four gaming enforcement officers for each excursion gambling
20 4 boat or gambling structure with a patron capacity of at least
20 5 2,000 persons. It is also the intent of the general assembly
20 6 the bill not be construed to authorize the removal of a gaming
20 7 enforcement officer from the gaming enforcement officer's
20 8 current position.

20 9 The bill amends 2009 Iowa Acts, chapter 178, to extend the
20 10 fiscal period that increases the annual appropriations from
20 11 the consumer education and litigation fund in Code section
20 12 714.16C, to the department of justice. The bill extends the
20 13 fiscal period authorizing such increases from the fiscal period
20 14 beginning on July 1, 2008, and ending on June 30, 2011, to the
20 15 fiscal period beginning on July 1, 2008, and ending June 30,
20 16 2013. By extending the fiscal period that authorizes increased
20 17 appropriations from the consumer education and litigation fund,
20 18 the bill also extends the fiscal period that moneys may be
20 19 allocated from the consumer education and litigation fund to
20 20 the victim compensation fund for cash flow purposes, if the
20 21 moneys so allocated are returned to the consumer and education
20 22 litigation fund by the end of each fiscal year the allocation
20 23 occurs.

LSB 1005SB (3) 84

jm/jp



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Senate Study Bill 1199

SENATE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
SENATE APPROPRIATIONS
SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT)

A BILL FOR

1 An Act relating to and making appropriations to the department
2 of cultural affairs, the department of economic development,
3 certain board of regents institutions, the department of
4 workforce development, the Iowa finance authority, and the
5 public employment relations board, and related matters and
6 including immediate effective date provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1002SB (3) 84
tw/tm



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1 1 Section 1. DEPARTMENT OF CULTURAL AFFAIRS. There is
1 2 appropriated from the general fund of the state to the
1 3 department of cultural affairs for the fiscal year beginning
1 4 July 1, 2011, and ending June 30, 2012, the following amounts,
1 5 or so much thereof as is necessary, to be used for the purposes
1 6 designated:
1 7 1. ADMINISTRATION
1 8 For salaries, support, maintenance, miscellaneous purposes,
1 9 and for not more than the following full-time equivalent
1 10 positions for the department:
1 11 \$ 181,813
1 12 FTEs 74.50
1 13 The department of cultural affairs shall coordinate
1 14 activities with the tourism office of the department of
1 15 economic development to promote attendance at the state
1 16 historical building and at this state's historic sites.
1 17 Full-time equivalent positions authorized under this
1 18 subsection shall be funded, in full or in part, using moneys
1 19 appropriated under this subsection and subsections 3 through 7.
1 20 2. COMMUNITY CULTURAL GRANTS
1 21 For planning and programming for the community cultural
1 22 grants program established under section 303.3:
1 23 \$ 257,090
1 24 3. HISTORICAL DIVISION
1 25 For the support of the historical division:
1 26 \$ 2,767,701
1 27 4. HISTORIC SITES
1 28 For the administration and support of historic sites:
1 29 \$ 426,398
1 30 5. ARTS DIVISION
1 31 For the support of the arts division:
1 32 \$ 933,764
1 33 6. IOWA GREAT PLACES
1 34 For the Iowa great places program established under section
1 35 303.3C:



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2	1	\$	193,823
2	2	7. ARCHIVE IOWA GOVERNORS' RECORDS		
2	3	For archiving the records of Iowa governors:		
2	4	.....	\$	65,933
2	5	8. RECORDS CENTER RENT		
2	6	For payment of rent for the state records center:		
2	7	.....	\$	227,243
2	8	9. BATTLE FLAGS		
2	9	For continuation of the project recommended by the Iowa		
2	10	battle flag advisory committee to stabilize the condition of		
2	11	the battle flag collection:		
2	12	.....	\$	60,000
2	13	Sec. 2. GOALS AND ACCOUNTABILITY ==== ECONOMIC DEVELOPMENT.		
2	14	1. For the fiscal year beginning July 1, 2011, the goals for		
2	15	the department of economic development shall be to expand and		
2	16	stimulate the state economy, increase the wealth of Iowans, and		
2	17	increase the population of the state.		
2	18	2. To achieve the goals in subsection 1, the department		
2	19	of economic development shall do all of the following for the		
2	20	fiscal year beginning July 1, 2011:		
2	21	a. Concentrate its efforts on programs and activities that		
2	22	result in commercially viable products and services.		
2	23	b. Adopt practices and services consistent with free		
2	24	market, private sector philosophies.		
2	25	c. Ensure economic growth and development throughout the		
2	26	state.		
2	27	d. Work with businesses and communities to continually		
2	28	improve the economic development climate along with the		
2	29	economic well-being and quality of life for Iowans.		
2	30	e. Coordinate with other state agencies to ensure that they		
2	31	are attentive to the needs of an entrepreneurial culture.		
2	32	f. Establish a strong and aggressive marketing image to		
2	33	showcase Iowa's workforce, existing industry, and potential.		
2	34	A priority shall be placed on recruiting new businesses,		
2	35	business expansion, and retaining existing Iowa businesses.		



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3 1 Emphasis shall be placed on entrepreneurial development through
3 2 helping entrepreneurs secure capital, and developing networks
3 3 and a business climate conducive to entrepreneurs and small
3 4 businesses.

3 5 g. Encourage the development of communities and quality of
3 6 life to foster economic growth.

3 7 h. Prepare communities for future growth and development
3 8 through development, expansion, and modernization of
3 9 infrastructure.

3 10 i. Develop public=private partnerships with Iowa businesses
3 11 in the tourism industry, Iowa tour groups, Iowa tourism
3 12 organizations, and political subdivisions in this state to
3 13 assist in the development of advertising efforts.

3 14 j. Develop, to the fullest extent possible, cooperative
3 15 efforts for advertising with contributions from other sources.

3 16 Sec. 3. DEPARTMENT OF ECONOMIC DEVELOPMENT.

3 17 1. APPROPRIATION

3 18 There is appropriated from the general fund of the state
3 19 to the department of economic development for the fiscal year
3 20 beginning July 1, 2011, and ending June 30, 2012, the following
3 21 amounts, or so much thereof as is necessary, to be used for the
3 22 purposes designated in subsection 2, and for not more than the
3 23 following full=time equivalent positions:

3 24 \$ 10,047,229
3 25 FTEs 149.00

3 26 2. DESIGNATED PURPOSES

3 27 a. For salaries, support, miscellaneous purposes, programs,
3 28 and the maintenance of an administration division, a business
3 29 development division, and a community development division.

3 30 b. The full=time equivalent positions authorized under this
3 31 section shall be funded, in whole or in part, by the moneys
3 32 appropriated under subsection 1 or by other moneys received by
3 33 the department, including certain federal moneys.

3 34 c. For business development operations and programs, the
3 35 film office, international trade, export assistance, workforce



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4 1 recruitment, and the partner state program.
4 2 d. For transfer to the strategic investment fund created in
4 3 section 15.313.
4 4 e. For transfer to the grow Iowa values fund created in
4 5 section 15G.111.
4 6 f. For community economic development programs, tourism
4 7 operations, community assistance, plans for Iowa green corps
4 8 and summer youth programs, the mainstreet and rural mainstreet
4 9 programs, the school-to-career program, the community
4 10 development block grant, and housing and shelter-related
4 11 programs.
4 12 g. For achieving the goals and accountability, and
4 13 fulfilling the requirements and duties required under this Act.
4 14 3. NONREVERSION
4 15 Notwithstanding section 8.33, moneys appropriated in
4 16 subsection 1 that remain unencumbered or unobligated at the
4 17 close of the fiscal year shall not revert but shall remain
4 18 available for expenditure for the purposes designated in
4 19 subsection 2 until the close of the succeeding fiscal year.
4 20 4. FINANCIAL ASSISTANCE RESTRICTIONS
4 21 a. A business creating jobs through moneys appropriated in
4 22 this section shall be subject to contract provisions requiring
4 23 new and retained jobs to be filled by individuals who are
4 24 citizens of the United States who reside within the United
4 25 States or any person authorized to work in the United States
4 26 pursuant to federal law, including legal resident aliens in the
4 27 United States.
4 28 b. Any vendor who receives moneys appropriated in this
4 29 section shall adhere to such contract provisions and provide
4 30 periodic assurances as the state shall require that the jobs
4 31 are filled solely by citizens of the United States who reside
4 32 within the United States or any person authorized to work in
4 33 the United States pursuant to federal law, including legal
4 34 resident aliens in the United States.
4 35 c. A business that receives financial assistance from the



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5 1 department from moneys appropriated in this section shall
5 2 only employ individuals legally authorized to work in this
5 3 state. In addition to all other applicable penalties provided
5 4 by current law, all or a portion of the assistance received
5 5 by a business which is found to knowingly employ individuals
5 6 not legally authorized to work in this state is subject to
5 7 recapture by the department.
5 8 5. USES OF APPROPRIATIONS
5 9 a. From the moneys appropriated in this section, the
5 10 department may provide financial assistance in the form of a
5 11 grant to a community economic development entity for conducting
5 12 a local workforce recruitment effort designed to recruit former
5 13 citizens of the state and former students at colleges and
5 14 universities in the state to meet the needs of local employers.
5 15 b. From the moneys appropriated in this section, the
5 16 department may provide financial assistance to early stage
5 17 industry companies being established by women entrepreneurs.
5 18 c. From the moneys appropriated in this section, the
5 19 department may provide financial assistance in the form of
5 20 grants, loans, or forgivable loans for advanced research and
5 21 commercialization projects involving value-added agriculture,
5 22 advanced technology, or biotechnology.
5 23 6. WORLD FOOD PRIZE
5 24 For allocating moneys for the world food prize and
5 25 notwithstanding the standing appropriation in section 15.368,
5 26 subsection 1:
5 27 \$ 650,000
5 28 7. MAIN STREET GRANTS
5 29 For use as matching funds for the United States department of
5 30 housing and urban development's main street challenge grants
5 31 for historic building preservation:
5 32 \$ 155,828
5 33 Notwithstanding section 8.33, moneys appropriated in this
5 34 subsection that remain unencumbered or unobligated at the close
5 35 of the fiscal year shall not revert but shall remain available



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6 1 for expenditure for the purposes designated until the close of
6 2 the succeeding fiscal year.

6 3 8. IOWA COMMISSION ON VOLUNTEER SERVICE

6 4 For allocation to the Iowa commission on volunteer service
6 5 for the Iowa's promise and mentoring partnership programs, for
6 6 transfer to the Iowa state commission grant program, and for
6 7 not more than the following full-time equivalent positions:

6 8 \$ 178,133

6 9 FTEs 7.00

6 10 Of the moneys appropriated in this subsection, the
6 11 department shall allocate \$75,000 for purposes of the Iowa
6 12 state commission grant program and \$103,133 for purposes of the
6 13 Iowa's promise and mentoring partnership programs.

6 14 Notwithstanding section 8.33, moneys appropriated in this
6 15 subsection that remain unencumbered or unobligated at the close
6 16 of the fiscal year shall not revert but shall remain available
6 17 for expenditure for the purposes designated until the close of
6 18 the succeeding fiscal year.

6 19 Sec. 4. VISION IOWA PROGRAM ==== FTE AUTHORIZATION. For
6 20 purposes of administrative duties associated with the vision
6 21 Iowa program, the department of economic development is
6 22 authorized an additional 2.25 FTEs above those otherwise
6 23 authorized in this Act.

6 24 Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From the moneys
6 25 collected by the division of insurance in excess of the
6 26 anticipated gross revenues under section 505.7, subsection 3,
6 27 during the fiscal year beginning July 1, 2011, \$100,000 shall
6 28 be transferred to the department of economic development for
6 29 insurance economic development and international insurance
6 30 economic development.

6 31 Sec. 6. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding
6 32 section 15E.120, subsection 5, there is appropriated from the
6 33 Iowa community development loan fund all moneys available
6 34 during the fiscal year beginning July 1, 2011, and ending
6 35 June 30, 2012, to the department of economic development for



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7 1 purposes of the community development program.

7 2 Sec. 7. WORKFORCE DEVELOPMENT FUND. There is appropriated

7 3 from the workforce development fund account created in section

7 4 15.342A to the workforce development fund created in section

7 5 15.343 for the fiscal year beginning July 1, 2011, and ending

7 6 June 30, 2012, the following amount, for purposes of the

7 7 workforce development fund:

7 8 \$ 4,000,000

7 9 Sec. 8. WORKFORCE DEVELOPMENT ADMINISTRATION. From moneys

7 10 appropriated or transferred to or receipts credited to the

7 11 workforce development fund created in section 15.343, up to

7 12 \$400,000 for the fiscal year beginning July 1, 2011, and ending

7 13 June 30, 2012, are appropriated to the department of economic

7 14 development for the administration of workforce development

7 15 activities including salaries, support, maintenance, and

7 16 miscellaneous purposes, and for not more than the following

7 17 full-time equivalent positions:

7 18 FTEs 4.00

7 19 Sec. 9. JOB TRAINING FUND. Notwithstanding section 15.251,

7 20 all moneys in the job training fund on July 1, 2011, and any

7 21 moneys appropriated or credited to the fund during the fiscal

7 22 year beginning July 1, 2011, shall be transferred to the

7 23 workforce development fund established pursuant to section

7 24 15.343.

7 25 Sec. 10. IOWA STATE UNIVERSITY.

7 26 1. There is appropriated from the general fund of the state

7 27 to Iowa state university of science and technology for the

7 28 fiscal year beginning July 1, 2011, and ending June 30, 2012,

7 29 the following amount, or so much thereof as is necessary, to

7 30 be used for small business development centers, the science

7 31 and technology research park, and the institute for physical

7 32 research and technology, and for not more than the following

7 33 full-time equivalent positions:

7 34 \$ 2,575,983

7 35 FTEs 56.63



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8 1 2. Of the moneys appropriated in subsection 1, Iowa state
8 2 university of science and technology shall allocate at least
8 3 \$994,929 for purposes of funding small business development
8 4 centers. Iowa state university of science and technology may
8 5 allocate moneys appropriated in subsection 1 to the various
8 6 small business development centers in any manner necessary to
8 7 achieve the purposes of this subsection.
8 8 3. Iowa state university of science and technology shall do
8 9 all of the following:
8 10 a. Direct expenditures for research toward projects that
8 11 will provide economic stimulus for Iowa.
8 12 b. Provide emphasis to providing services to Iowa-based
8 13 companies.
8 14 4. It is the intent of the general assembly that the
8 15 industrial incentive program focus on Iowa industrial
8 16 sectors and seek contributions and in-kind donations from
8 17 businesses, industrial foundations, and trade associations,
8 18 and that moneys for the institute for physical research and
8 19 technology industrial incentive program shall be allocated
8 20 only for projects which are matched by private sector moneys
8 21 for directed contract research or for nondirected research.
8 22 The match required of small businesses as defined in section
8 23 15.102, subsection 6, for directed contract research or for
8 24 nondirected research shall be \$1 for each \$3 of state funds.
8 25 The match required for other businesses for directed contract
8 26 research or for nondirected research shall be \$1 for each \$1 of
8 27 state funds. The match required of industrial foundations or
8 28 trade associations shall be \$1 for each \$1 of state funds.
8 29 Iowa state university of science and technology shall
8 30 report annually to the joint appropriations subcommittee on
8 31 economic development and the legislative services agency the
8 32 total amount of private contributions, the proportion of
8 33 contributions from small businesses and other businesses, and
8 34 the proportion for directed contract research and nondirected
8 35 research of benefit to Iowa businesses and industrial sectors.



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9 1 5. Notwithstanding section 8.33, moneys appropriated in
9 2 this section that remain unencumbered or unobligated at the
9 3 close of the fiscal year shall not revert but shall remain
9 4 available for expenditure for the purposes designated until the
9 5 close of the succeeding fiscal year.

9 6 Sec. 11. UNIVERSITY OF IOWA.

9 7 1. There is appropriated from the general fund of the state
9 8 to the state university of Iowa for the fiscal year beginning
9 9 July 1, 2011, and ending June 30, 2012, the following amount,
9 10 or so much thereof as is necessary, to be used for the state
9 11 university of Iowa research park and for the advanced drug
9 12 development program at the Oakdale research park, including
9 13 salaries, support, maintenance, equipment, miscellaneous
9 14 purposes, and for not more than the following full-time
9 15 equivalent positions:

9 16	\$	222,372
9 17	FTEs	6.00

9 18 2. The state university of Iowa shall do all of the
9 19 following:

9 20 a. Direct expenditures for research toward projects that
9 21 will provide economic stimulus for Iowa.

9 22 b. Provide emphasis to providing services to Iowa-based
9 23 companies.

9 24 3. Notwithstanding section 8.33, moneys appropriated in
9 25 this section that remain unencumbered or unobligated at the
9 26 close of the fiscal year shall not revert but shall remain
9 27 available for expenditure for the purposes designated until the
9 28 close of the succeeding fiscal year.

9 29 Sec. 12. UNIVERSITY OF NORTHERN IOWA.

9 30 1. There is appropriated from the general fund of the
9 31 state to the university of northern Iowa for the fiscal year
9 32 beginning July 1, 2011, and ending June 30, 2012, the following
9 33 amount, or so much thereof as is necessary, to be used for the
9 34 metal casting institute, the MyEntreNet internet application,
9 35 and the institute of decision making, including salaries,



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10 1 support, maintenance, miscellaneous purposes, and for not more
10 2 than the following full-time equivalent positions:

10 3 \$ 610,674
10 4 FTEs 6.75

10 5 2. Of the moneys appropriated pursuant to subsection 1, the
10 6 university of northern Iowa shall allocate at least \$290,494
10 7 for purposes of expanded support of entrepreneurs through the
10 8 university's regional business center.

10 9 3. The university of northern Iowa shall do all of the
10 10 following:

10 11 a. Direct expenditures for research toward projects that
10 12 will provide economic stimulus for Iowa.

10 13 b. Provide emphasis to providing services to Iowa-based
10 14 companies.

10 15 4. Notwithstanding section 8.33, moneys appropriated in
10 16 this section that remain unencumbered or unobligated at the
10 17 close of the fiscal year shall not revert but shall remain
10 18 available for expenditure for the purposes designated until the
10 19 close of the succeeding fiscal year.

10 20 Sec. 13. BOARD OF REGENTS REPORT. The state board of
10 21 regents shall submit a report on the progress of regents
10 22 institutions in meeting the strategic plan for technology
10 23 transfer and economic development to the secretary of the
10 24 senate, the chief clerk of the house of representatives, and
10 25 the legislative services agency by January 15, 2012.

10 26 Sec. 14. DEPARTMENT OF WORKFORCE DEVELOPMENT. There
10 27 is appropriated from the general fund of the state to the
10 28 department of workforce development for the fiscal year
10 29 beginning July 1, 2011, and ending June 30, 2012, the following
10 30 amounts, or so much thereof as is necessary, for the purposes
10 31 designated:

10 32 1. DIVISION OF LABOR SERVICES

10 33 a. For the division of labor services, including salaries,
10 34 support, maintenance, miscellaneous purposes, and for not more
10 35 than the following full-time equivalent positions:



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11 1 \$ 2,951,367
11 2 FTEs 64.00
11 3 b. From the contractor registration fees, the division of
11 4 labor services shall reimburse the department of inspections
11 5 and appeals for all costs associated with hearings under
11 6 chapter 91C, relating to contractor registration.
11 7 2. DIVISION OF WORKERS' COMPENSATION
11 8 a. For the division of workers' compensation, including
11 9 salaries, support, maintenance, miscellaneous purposes, and for
11 10 not more than the following full-time equivalent positions:
11 11 \$ 2,575,151
11 12 FTEs 30.00
11 13 b. The division of workers' compensation shall charge a
11 14 \$100 filing fee for workers' compensation cases. The filing
11 15 fee shall be paid by the petitioner of a claim. However, the
11 16 fee can be taxed as a cost and paid by the losing party, except
11 17 in cases where it would impose an undue hardship or be unjust
11 18 under the circumstances. The moneys generated by the filing
11 19 fee allowed under this subsection are appropriated to the
11 20 department of workforce development to be used for purposes of
11 21 administering the division of workers' compensation.
11 22 3. WORKFORCE DEVELOPMENT OPERATIONS
11 23 a. For the operation of field offices, the workforce
11 24 development board, and for not more than the following
11 25 full-time equivalent positions:
11 26 \$ 9,707,042
11 27 FTEs 130.00
11 28 b. Of the moneys appropriated in paragraph "a" of this
11 29 subsection, the department shall allocate \$9,696,170 for the
11 30 operation of field offices.
11 31 c. The department shall not reduce the number of field
11 32 offices below the number of field offices being operated as of
11 33 January 1, 2009.
11 34 4. OFFENDER REENTRY PROGRAM
11 35 a. For the development and administration of an offender



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12 1 reentry program to provide offenders with employment skills,
12 2 and for not more than the following full-time equivalent
12 3 positions:
12 4 \$ 284,464
12 5 FTEs 3.00
12 6 b. The department shall partner with the department of
12 7 corrections to provide staff within the correctional facilities
12 8 to improve offenders' abilities to find and retain productive
12 9 employment.
12 10 5. Notwithstanding section 8.33, moneys appropriated in
12 11 this section that remain unencumbered or unobligated at the
12 12 close of the fiscal year shall not revert but shall remain
12 13 available for expenditure for the purposes designated until the
12 14 close of the succeeding fiscal year.
12 15 Sec. 15. ACCOUNTABILITY ==== AUDIT. The auditor of state
12 16 shall annually conduct an audit of the department of workforce
12 17 development and shall report the findings of such annual
12 18 audit, including the accountability of programs of the
12 19 department, to the chairpersons and ranking members of the
12 20 joint appropriations subcommittee on economic development. The
12 21 department shall pay for the costs associated with the audit.
12 22 Sec. 16. EMPLOYMENT SECURITY CONTINGENCY FUND.
12 23 1. There is appropriated from the special employment
12 24 security contingency fund to the department of workforce
12 25 development for the fiscal year beginning July 1, 2011, and
12 26 ending June 30, 2012, the following amounts, or so much thereof
12 27 as is necessary, for the purposes designated:
12 28 a. For the division of workers' compensation, salaries,
12 29 support, maintenance, and miscellaneous purposes:
12 30 \$ 491,617
12 31 b. For the division of labor services, including salaries,
12 32 support, maintenance, and miscellaneous purposes:
12 33 \$ 394,073
12 34 2. Any remaining additional penalty and interest revenue
12 35 is appropriated to the department of workforce development to



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13 1 accomplish the mission of the department.
13 2 Sec. 17. UNEMPLOYMENT COMPENSATION RESERVE FUND ====

13 3 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
13 4 paragraph "e", there is appropriated from interest earned on
13 5 the unemployment compensation reserve fund to the department
13 6 of workforce development for the fiscal year beginning July 1,
13 7 2011, and ending June 30, 2012, the following amount or so much
13 8 thereof as is necessary, for the purposes designated:
13 9 For the operation of field offices:

13 10	\$	6,500,000
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13 11 Sec. 18. GENERAL FUND ==== EMPLOYEE MISCLASSIFICATION
13 12 PROGRAM. There is appropriated from the general fund of the
13 13 state to the department of workforce development for the fiscal
13 14 year beginning July 1, 2011, and ending June 30, 2012, the
13 15 following amount, or so much thereof as is necessary, to be
13 16 used for the purposes designated:
13 17 For enhancing efforts to investigate employers that
13 18 misclassify workers and for not more than the following
13 19 full-time equivalent positions:

13 20	\$	451,458
13 21	FTEs	8.10

13 22 Sec. 19. PUBLIC EMPLOYMENT RELATIONS BOARD.
13 23 1. There is appropriated from the general fund of the state
13 24 to the public employment relations board for the fiscal year
13 25 beginning July 1, 2011, and ending June 30, 2012, the following
13 26 amount, or so much thereof as is necessary, for the purposes
13 27 designated:
13 28 For salaries, support, maintenance, miscellaneous purposes,
13 29 and for not more than the following full-time equivalent
13 30 positions:

13 31	\$	1,057,871
13 32	FTEs	10.00

13 33 2. Of the moneys appropriated in this section, the board
13 34 shall allocate \$15,000 for maintaining a website that allows
13 35 searchable access to a database of collective bargaining



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14 1 information.

14 2 Sec. 20. IOWA FINANCE AUTHORITY.

14 3 1. There is appropriated from the general fund of the state
14 4 to the Iowa finance authority for the fiscal year beginning
14 5 July 1, 2011, and ending June 30, 2012, the following amount,
14 6 or so much thereof as is necessary, to be used to provide
14 7 reimbursement for rent expenses to eligible persons under the
14 8 rent subsidy program:

14 9 \$ 658,000

14 10 2. Participation in the rent subsidy program shall be
14 11 limited to only those persons who meet the requirements for the
14 12 nursing facility level of care for home and community-based
14 13 services waiver services as in effect on July 1, 2011, and
14 14 to those individuals who are eligible for the federal money
14 15 follows the person grant program under the medical assistance
14 16 program. Of the moneys appropriated in this section, not more
14 17 than \$35,000 may be used for administrative costs.

14 18 Sec. 21. IOWA FINANCE AUTHORITY AUDIT. The auditor of state
14 19 is requested to review the audit of the Iowa finance authority
14 20 performed by the auditor hired by the authority.

14 21 Sec. 22. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
14 22 section 96.9, subsection 4, paragraph "a", moneys credited to
14 23 the state by the secretary of the treasury of the United
14 24 States pursuant to section 903 of the Social Security
14 25 Act are appropriated to the department of workforce
14 26 development and shall be used by the department for the
14 27 administration of the unemployment compensation program only.
14 28 This appropriation shall not apply to any fiscal year
14 29 beginning after December 31, 2011.

14 30 Sec. 23. 2010 Iowa Acts, chapter 1184, section 37, is
14 31 amended by adding the following new unnumbered paragraph:
14 32 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
14 33 moneys appropriated in this section shall not revert at the
14 34 close of the fiscal year for which they are appropriated but
14 35 shall remain available for the purposes designated until



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15 1 the close of the fiscal year that begins July 1, 2011. The
15 2 full-time equivalent position authorized in this section shall
15 3 continue to be authorized until the close of the fiscal year
15 4 that begins July 1, 2011.
15 5 Sec. 24. 2010 Iowa Acts, chapter 1193, section 88, is
15 6 amended to read as follows:
15 7 SEC. 88. TAIWAN TRADE OFFICE == IOWA COMPREHENSIVE
15 8 PETROLEUM UNDERGROUND STORAGE TANK FUND. There is appropriated
15 9 from the Iowa comprehensive petroleum underground storage tank
15 10 fund to the department of economic development for the fiscal
15 11 year beginning July 1, 2010, and ending June 30, 2011, the
15 12 following amount, or so much thereof as is necessary, to be
15 13 used for the purposes designated:
15 14 Notwithstanding section 455G.3, subsection 1, for
15 15 establishing a trade office in Taipei, Taiwan:
15 16 \$ 100,000
15 17 Notwithstanding section 8.33, moneys appropriated in this
15 18 section shall not revert at the close of the fiscal year for
15 19 which they are appropriated but shall remain available for the
15 20 purposes designated until the close of the fiscal year that
15 21 begins July 1, 2011.
15 22 If the department cannot arrange for matching moneys from
15 23 another source by June 30, 2012, in an amount at least equal to
15 24 the appropriation made in this section, the moneys appropriated
15 25 in this section shall revert to the Iowa comprehensive
15 26 petroleum underground storage tank fund.
15 27 Sec. 25. 2008 Iowa Acts, chapter 1190, section 30,
15 28 subsection 3, is amended to read as follows:
15 29 3. As part of the plan, the department of workforce
15 30 development shall set a goal of having at least one certified
15 31 one-stop center in each of the fifteen workforce regions by the
15 32 year 2012 2014.
15 33 Sec. 26. EFFECTIVE UPON ENACTMENT. The sections of this
15 34 Act amending 2010 Iowa Acts, chapter 1184, 2010 Iowa Acts,
15 35 chapter 1193, and 2008 Iowa Acts, chapter 1190, being deemed of



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16 1 immediate importance, take effect upon enactment.

16 2 EXPLANATION

16 3 This bill makes appropriations and transfers from the
16 4 general fund of the state and other funds to the department of
16 5 cultural affairs, the department of economic development, the
16 6 university of Iowa, the university of northern Iowa, Iowa state
16 7 university, the department of workforce development, the Iowa
16 8 finance authority, and the public employment relations board
16 9 for the 2011=2012 fiscal year.

16 10 The bill provides that the goals for the department of
16 11 economic development shall be to expand and stimulate the
16 12 state economy, increase the wealth of Iowans, and increase the
16 13 population of the state.

16 14 The bill transfers moneys collected by the division of
16 15 insurance in excess of the anticipated gross revenues to the
16 16 department of economic development for purposes of insurance
16 17 economic development and international insurance economic
16 18 development.

16 19 The bill appropriates moneys from the Iowa community
16 20 development loan fund to the department of economic development
16 21 for purposes of the community development program.

16 22 The bill appropriates moneys from the workforce development
16 23 fund account to the workforce development fund.

16 24 The bill provides that moneys appropriated or transferred
16 25 to or receipts credited to the workforce development fund are
16 26 appropriated to the department of economic development for
16 27 administration of workforce development activities.

16 28 The bill provides that all moneys in the job training fund on
16 29 July 1, 2010, and any moneys appropriated or credited to the
16 30 fund during the fiscal year beginning July 1, 2010, shall be
16 31 transferred to the workforce development fund.

16 32 The bill requires the state board of regents to submit a
16 33 report on the progress of regents institutions in meeting
16 34 the strategic plan for technology transfer and economic
16 35 development.



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17 1 The bill requires the auditor of state to conduct an audit of
17 2 the department of workforce development.

17 3 The bill appropriates moneys from the special employment
17 4 security contingency fund to the department of workforce
17 5 development for the division of workers' compensation and the
17 6 division of labor.

17 7 The bill appropriates interest earned on the unemployment
17 8 compensation reserve fund to the department of workforce
17 9 development for the operation of field offices.

17 10 The bill appropriates moneys to the department of workforce
17 11 development for an employee misclassification program.

17 12 The bill requests the auditor of state to review the audit
17 13 of the Iowa finance authority performed by the auditor hired
17 14 by the authority.

17 15 The bill appropriates moneys from moneys credited to
17 16 the state by the secretary of the treasury of the United
17 17 States pursuant to the Social Security Act to the department
17 18 of workforce development for the administration of the
17 19 unemployment compensation program only.

17 20 The bill amends 2010 Iowa Acts, chapter 1184, section 37, by
17 21 adding nonreversion language. This amendment is effective upon
17 22 enactment.

17 23 The bill amends 2010 Iowa Acts, chapter 1193, section 88,
17 24 by adding nonreversion language and by providing for a future
17 25 reversion date. This amendment is effective upon enactment.

17 26 The bill amends 2008 Iowa Acts, chapter 1190, section 30,
17 27 relating to workforce innovation centers by extending by two
17 28 years the date by which the department of workforce development
17 29 must have at least one certified one-stop center in each of the
17 30 15 workforce regions of the state. This amendment is effective
17 31 upon enactment.

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